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Letter dated 3 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have the honour to forward herewith the memorandum of the Government of the Federal Republic of Yugoslavia of 3 April 2000 on the implementation of Security Council resolution 1244 (1999) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-37857 (E) 100400

Annex

Memorandum of the Government of the Federal Republic of Yugoslavia on the implementation of Security Council resolution 1244 (1999) of 3 April 2000

I. COMMUNICATIONS ADDRESSED BY THE GOVERNMENT OF THE FR OF YUGOSLAVIA TO THE UN SECURITY COUNCIL, UN SECRETARY-GENERAL, KFOR, UNMIK AND OTHER INTERNATIONAL ORGANIZATIONS

1. Persistent warnings to the violations of UN SC resolution 1244 (1999)

Even ten months since its adoption, no changes whatsoever have taken place concerning the respect of UN SC resolution 1244 (1999) as well as of the Military Technical Agreement by the international forces, KFOR and UNMIK, in the southern Serb province of Kosovo and Metohija.
Continuous warnings of the Government of the FR of Yugoslavia to the UN Security Council, UN Secretary-General, KFOR and UNMIK and other relevant international organizations and factors to the flagrant violations of the key provisions of the Resolution, Ahtisaari-Chernomyrdin document and the Military Technical Agreement have not been heeded at ll. At the same time, the processes in the Province run contrary to the letter and substance of the Resolution and its related documents, threatening the security of the entire region.

- **Memorandums of the Government of the FR of Yugoslavia:** It is only a month from the latest, third, Memorandum of the Government of the Federal Republic of Yugoslavia (1 March 2000), and in spite of clear examples of direct violations of the key provisions of the Resolution and its related documents by KFOR and UNMIK, as well as of unambiguous demands of the Government of the FR of Yugoslavia that the UN Security Council, as a primary responsible body, finally take energetic and urgent measures in order to stop the dramatic worsening of the overall situation in the southern Serbian Province, the United Nations Security Council continues to close its eyes before the facts and tolerates the flagrant violations of the fundamental principles of the Charter, key provisions of the Resolution and its related documents, as well as all other widely accepted international standards in the field of human and civil rights.

- The Government of the FR of Yugoslavia, in more than 60 direct communications to the Security Council, continuously pointed to the drastic examples of non-compliance with or gross violations of the mandate of KFOR and UNMIK, particularly related to the violation of the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija. Particularly well substantiated and justified are the warnings to the continuation of terror, ethnic cleansing and genocide of Albanian terrorists and separatists against the Serbs, Montenegrins, Roma, Turks, Goranci and other non-Albanian population in the Province.
- In its direct communications **to the head of UNMIK and KFOR commander**, through its Committee for Cooperation with the UN Mission in Pristina, the Yugoslav Government has on a daily basis drawn the attention to, and lodged regular protests in connection with, flagrant violations of their authority and failure to implement their mandate, clearly established by UN SC resolution 1244 (1999).

2. Passive attitude of UN SC and other bodies of the international community

- In view of the continuous and dramatic deterioration of the situation and drastic violations of fundamental human rights, as well as of the destruction of historical and cultural monuments, constituting an integral part of the world cultural heritage, the Government of the FR of Yugoslavia has informed timely and in a well-documented way other international organizations engaged in Kosovo and Metohija **(UNHCR, UNHCHR, UNESCO, ICRC, OSCE, EU, Council of Europe,** etc.). In spite of the demands that they, too, fulfil their share of responsibility in accordance with SC resolution 1244 (1999) and other relevant international legal instruments within their field of activity, there are still no signs of the real readiness to engage in earnest in order to put an end to the present devastating trends in the Province, seriously undermining the authority of the United Nations and weakening the confidence in the genuine readiness of the world Organization to meet its obligations and offer protection to the Member States in accordance with the Charter of the United Nations.

II. SYSTEMATIC VIOLATIONS OF UN SECURITY COUNCIL RESOLUTION 1244 (1999) AND THE MILITARY TECHNICAL AGREEMENT

1. Systematic violation of the sovereignty and territorial integrity of the FR of Yugoslavia and the mandate of UN Security Council

UN SC resolution 1244 (1999) unambiguously confirms the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija (preambular para 10; subpara 8, Annex 2)

- **Decisions of UNMIK and KFOR**: Regulations of UN Secretary General Special Representative and head of UNMIK B. Kouchner have no grounding in the Resolution and are aimed at severing all ties between Kosovo and Metohija and the Republic of Serbia and the FR of Yugoslavia, i.e. at separating the Province altogether from the constitutional, legal, economic, monetary, financial, banking, customs, visa, administrative and other systems of the FR of Yugoslavia and the Republic of Serbia.

Regulations and decisions of the UN SG Special Representative for Kosovo and Metohija B. Kouchner, systematically and directly undermine the State sovereignty of the FRY in Kosovo and Metohija as a basic principle guaranteed by SC resolution 1244 (1999) and bring into question the legal basis and prerogatives of statehood of the State of Serbia and the FR of Yugoslavia, in the southern Serb Province, as an integral part of the sovereign territory of the Republic of Serbia and of the FR of Yugoslavia.

Special Representative B. Kouchner continues his illegal acts aimed at creating prerequisites for the independence of the Province from the Republic of Serbia and the FR of Yugoslavia, favouring political and other interests of Albanian separatists and terrorists, which is unprecedented in the history of UN missions. The Illegally established so-called Interim Administration Council, the de facto Provincial "Government", composed exclusively of Albanians, mostly from the ranks of the terrorist so-called KLA and separatist Albanian political parties, even before the minimum security and living conditions have been created for the non-Albanian population, represents an attempt of legalizing ethnic supremacy of Albanians, with a view to creating an ethnically pure Kosovo and Metohija.

Persistent efforts to include the Serbs into this body, mostly for the functions of irrelevant political importance and influence, represent Kouchner's attempts to legalize the status quo to the detriment of the Serbs and other non-Albanian population.

The developments in the Province unambiguously confirmed that the protests of the Government of the FR of Yugoslavia over the UNMIK decision on the transformation of the terrorist KLA in an alleged civilian organization - "Kosovo Protection Corps" are justified, and that the decision is not only illegal as it has no grounding whatsoever in SC resolution 1244 (1999) and its related documents, but that it is also one of the main generators of the deterioration of the situation and the crisis in the Province.

The attack of well-armed members of the so-called Kosovo Protection Corps on a patrol of the Republican Ministry of the Interior near Bujanovac, outside the administrative area of Kosovo and Metohija, unambiguously confirms that the so-called Kosovo Protection Corps is not a "civilian" structure - its members are re-cycled terrorists of the so-called KLA, whose combat structure and command personnel have been maintained in their entirety, creating a core of a future Albanian army in Kosovo and Metohija, as has been publicly pointed out by its "commander", the notorious terrorist Agim Cheku.

- **Building of military bases**: The Government of the FR of Yugoslavia most energetically opposes the building of KFOR military bases in a part of its sovereign territory, without its approval. It represents the most flagrant violation of its sovereignty and the provisions of UN SC resolution 1244 (1999), as well as the existing laws of the Republic of Serbia and the FR of Yugoslavia. The building of foreign bases without the approval of the receiving State is contrary to the character and spirit of peace missions under the auspices of the United Nations and represents a dangerous precedent, contrary to the fundamental principles and purposes of the United Nations.
- **Military exercises of NATO/KFOR**: The Government of the FR of Yugoslavia resolutely opposes military exercises of NATO and KFOR in the Province, under any pretext, which represents the most flagrant violation of the territorial integrity and sovereignty of the FR of Yugoslavia. Sabre-rattling in the Province, which is evidently

no function of creating security conditions for all its citizens, is just another form of support for Albanian terrorists in their attempts to cement mono-ethnic structure of the Province, as a basis for its total separation from the constitutional and legal system of the Republic of Serbia and the FRY. Such provocative conduct on the part of KFOR represents a factor of serious destabilization of the region and directly threatens peace and stability in Europe.

Although it is obliged to prevent any act of violation of UN SC resolution 1244 (1999) and to eliminate all sources of instability in the region, the Security Council did nothing to protect the sovereignty and territorial integrity of the FR of Yugoslavia, thereby directly violating not only the key provisions of the Resolution but the fundamental provisions of the Charter of the United Nations as well.

- **Representation of some countries**: Despite the warnings and protests of the Government of the FR of Yugoslavia, UNMIK continues to tolerate the establishment of foreign para-diplomatic missions in the Province, without consultations with and approval of the Government of the FR of Yugoslavia, which represents a gross violation of the principle of the sovereignty and territorial integrity of the FR of Yugoslavia. The attempt of Kouchner even to legalize that (his draft regulation on "immunities and privileges of the liaison offices of foreign Governments in Kosovo") is a direct attack on the sovereignty and territorial integrity of the FR of Yugoslavia which grossly violates the principles of the UN Charter, provisions of the Vienna Conventions on diplomatic and consular relations and the Convention on the Privileges and Immunities of the United Nations as well as prevailing international practice.

- The Government of the FR of Yugoslavia reiterates once again that it has never ceded or intends to cede the sovereignty over any part of its territory and resolutely rejects the tactics of manipulating or diverting the attention from the alliance of UNMIK and KFOR with the terrorist so-called KLA. It particularly refuses all moves in line with faits accomplis.

- The sovereignty and territorial integrity of the FR of Yugoslavia are inviolable and final: overall conduct, decisions of KFOR and UNMIK particularly of the UN SG Special Representative and head of UNMIK B. Kouchner, including his decision on the establishment of the "Interim Administration Council of Kosovo" disregarding or violating the principle of sovereignty and territorial integrity of the FR of Yugoslavia, as well as all measures, taken or not taken that are contrary to UN SC resolution 1244 (1999) or the MTA, or represent an attempt at their revision, are considered by the FR of Yugoslavia as null and void and cannot have any legal effect or be binding on the FR of Yugoslavia or its organs in any way.

2. Massive violations of human rights

Terror and violence[1]: Albanian terror and violence, ethnic cleansing and genocide against the non-Albanian population, above all the Serbs and Montenegrins, but also Roma, Muslims, Turks, Goranci and others, destruction of their homes, usurpation and destruction of private and State-owned property, rampant crime and chaos in the Province, continue despite the presence of several dozen thousand of well armed members of KFOR and more than 2,000 UNMIK policemen. This speaks volumes about the failure of KFOR and UNMIK to fulfil their basic obligations arising from their mandate, particularly in terms of guaranteeing full personal and property security and safety to all citizens in the Province, above all the Serbs and Montenegrins, who have been exposed to systematic ethnic cleansing, terror, killings and abductions.

- The Government of the FR of Yugoslavia insists that KFOR and UNMIK fulfil without delay all their obligations and create as soon as possible the conditions for a safe return of all expelled persons to Kosovo and Metohija.

Ethnic cleansing: Since the deployment of KFOR and UNMIK, more than 350,000 Serbs, Montenegrins, Roma, Muslims, Turks, Goranci and other non-Albanians were forcibly driven out of the Province. Terrorists are

[1] Detailed overview of terrorist activities of Albanian terrorists given in the appendix.

increasingly targeting Albanians, loyal citizens of the Republic of Serbia and the FR of Yugoslavia, who refused to obey the demands of Albanian terrorists and criminals.

- The fact that the alleged search of the Serbs in Kosovska Mitrovica by KFOR was used by Albanian terrorists to expel additional 16,000 Serbs and Montenegrins, should serve as a warning. It is evident that this form of intimidation of the Serbs in Kosovska Mitrovica, with direct participation of the members of KFOR, is just another example of the proven policy of bringing pressure to bear on the Serbs, with a view to completing ethnic cleansing of the Province.

- **Terrorism:** In the period from 10 June 1999 through 30 March 2000, there was a total of 4,564 terrorist attacks (4,314 against Serbs and Montenegrins); 936 persons (835 Serbs and Montenegrins) were killed; 876 (824 Serbs and Montenegrins) were wounded, and 867 (798 Serbs and Montenegrins) were abducted. More than 50,000 homes, mostly those belonging to Serbs, Montenegrins and Roma, were destroyed, burned down or severely damaged.

- **The latest serious crimes:** During the month of March, the crimes committed by Albanian terrorists continued. They were motivated by the desire to scare the remaining Serb and other non-Albanian population into leaving the Province. The manner in which these crimes were committed is yet another proof that Albanian terrorists have neither been disarmed nor demilitarized. The most brutal crimes include: planting of explosives in the home of Azem Xhaferi, a Muslim, in Prizren (1 March 2000); shelling of the village of Grabovac and the bombing of the training centre building in Obilic (3 March 2000); brutal attacks on Serbs in the villages of Bostane and Trnicevce (6 March 2000); terrorist bombings of the Serbian section of Kosovska Mitrovica, in which 19 Serbs were injured (7 March 2000); shelling of the Serbian village of Gorazdevac (10 March 2000); brutal murder of Srdjan Peric with an axe when the terrorists opened machine gun fire at a group of Serbs working in the field (11 March 2000); blasting of a railway overpass causing interruption of services between Kosovska Mitrovica and Lecak, municipality of Leposavic (23 March 2000).

- New forms of terror against Serbs and other non-Albanian population:

Instead of providing full security to Serbs, KFOR resorts to the use of brute force, harassment, physical violence, including causing damage to Serb property, which represents a new form of an inadmissible behaviour of international forces with a clear message to the Serbs. Particularly drastic incidents occurred in Kosovska Mitrovica (on 20-25 February) as well as in the villages of Mogila (on 25-26 February), in which Serbian houses were searched by using the method of most brutal physical violence, Draganovac (Gnjilane municipality) and Miolice (Leposavic municipality), Mali Zvecan (27 February), Gornje Kusce (1 March) and the Serbian villages of Rudare and Grabovac (1 March). The searches were conducted by KFOR jointly with the terrorists of the so-called KLA, who wore international security forces uniforms, thus proving the strong links between KFOR and Albanian terrorists.

The illegality and brutality of this action as conducted by US and German KFOR contingents were also condemned in the OSCE report of 21 February 2000, saying that in doing so, KFOR violated the provisions of the International Covenant on Civil and Political Rights. Having established also that the operation was illegal, the fact was brought to the attention of the head of UNMIK B. Kouchner.

- **Terrorists attacks outside the Province:** In the belief that the destabilization of the situation on the widest possible territory facilitates the achievement of their separatist goals, Albanian terrorists are seeking to spread terror, chaos and lawlessness outside the Province to other parts of the Republic of Serbia and the FR of Yugoslavia, which would not be possible without the support and direct assistance by members of KFOR and UNMIK, whose responsibility is to prevent all attempts of violating safety within the administrative territory of the Province. The fact that the members of the so-called Kosovo Protection Corps take part in terrorist attacks outside the Province, clearly confirms that Albanian terrorists from the so-called KLA have neither been disarmed nor demilitarized, and least of all, that the so-called Kosovo Protection Corps is an allegedly civilian structure.

- **"Labour camps" for Serbs:** The prisons, run by the terrorist so-called KLA throughout Kosovo and Metohija, house several hundred abducted Serbian civilians, who have been placed in "labour camps" controlled by the so-called KLA. The abductees have been subjected to extremely cruel and inhuman treatment in these "labour camps" located in the village of Maticane, 15 kilometres away from Pristina, as well as in the village of Dusanovo near Prizren and in Drenica. Access to these people is strictly forbidden, even by ICRC representatives.

Additionally, in the Republic of Albania there are also some 350 persons of Serb nationality, who have been abducted in Kosovo and Metohija. The international forces in Kosovo and Metohija are aware of the existence of such prisons for the abducted Serbs. Despite the fact that it represents the most inhuman violation of individual human rights and freedoms they have done nothing to free the abducted persons.

Other representatives of the international community (UN Secretary-General, the Security Council, the ICRC as well as Mrs S. Ogata, Mr. J. Dienstbier and others) have been fully informed about the lists of abducted Serbs without any major effect as regards the release of those who were not executed in the meantime.

- **Attacks on aid convoys**: Attacks on aid convoys and prevention of the delivery of basic food staples, medical supplies for hospitals, etc., all intended for the Serb population under several months blockade have become increasingly frequent, which is a special form of genocide against Serbs, calculated at bringing about their physical destruction. In this respect, particularly striking examples are the following: attack on the Serb convoys headed for Strpce, near the village of Radivojce (on 22 and 29 February); attack on the Serb convoy en route to Koretiste, in the village of Dobricane (28 February); attack on the bus transporting Serb children on their way back from school, on the road between Gornje Kusce and Koretiste (29 February); attacks against Serb convoys in the village of Koretin (6 and 20 March); repeated attacks against Serb convoys in Gnjilane (7 and 10 March); an attack on a Serb convoy in the village of Dobrovce (27 March).

KFOR has not prevented these attacks by terrorists. Also, it has refused to provide security escorts (Lieutenant Peter Ramstel, KFOR, Kosovska Mitrovica area, banned all KFOR security escorts for buses transporting Serbian schoolchildren and sick persons to Gracanica, 1 March. It is not prepared to escort convoys between Merdare and Kosovo Polje) which is yet another proof that KFOR does not carry out is obligations under the resolution, thereby encouraging Albanian terrorists to freely continue their daily violence against Serbs in order to force them to leave Kosovo Polje and other places.

- **Destruction of cultural and historic sites:** Destruction of Serbian monuments of culture and the most precious symbols of centuries' old roots of Serbian statehood and spirituality in the region of Kosovo and Metohija has continued. In total, 85 churches and medieval monasteries have been destroyed, burned or seriously damaged.

- **Discrimination against Serbs and a cultural and spiritual genocide of Serbs**: UNMIK continues to tolerate and encourage through its actions discrimination against Serbs especially in education (the closure of universities, schools), culture and the media in the Serbian language. In doing so the most frequently cited excuse is alleged attempt to preserve the multi-ethnic, multi-cultural and multi-religious structures in the Province. The fact that this is done where the Serbs have managed to live in larger numbers clearly shows that KFOR and UNMIK directly encourage the aspirations of Kosovo Albanian terrorists towards breaking apart the ethnically solid Serbian communities, and that they directly pressurize Serbs into leaving their ancestral homes.

- The policy of double standards and unobjective criteria disfavouring Serbs, applied by UNMIK on the one hand have deprived not only Serbs but also Roma, Muslims, Turks and Goranci of their jobs, doing nothing to ensure their reinstatement to the jobs they were forcibly kicked out of. On the other hand, they favour Albanians irrespective of the lack of skills on their part, constituting the most flagrant violation of the principle of equality and multi-ethnicity.

- KFOR and UNMIK bear sole responsibility for massive violation of human rights in the Province, for lawlessness, chaos and breaches of the provisions of Security Council resolution 1244 (1999), relating to the preservation of the multi-ethnic, multi-confessional and multi-cultural character of the Province, by becoming outright accessory to ethnic cleansing and genocide.

3. Disarming of the terrorist so-called KLA

Daily terrorization, violence, killings and destruction of Serbian homes and settlements, cafes and other places frequented by Serbs in massive numbers in the remaining Serb enclaves, as well as attacks on civilians and Yugoslav security forces beyond the boundaries of the Province, with the use of heavy ordnance even, all testify to the fact that the terrorists of the so-called KLA have not been disarmed.

Leaders of these terrorist/separatist formations, Hashim Thaqi, Agim Cheku and others, continue to openly advocate the independence of the Province, whereby the so-called KPC, which is nothing but a "transformed" terrorist so-called KLA, would be a core of the future Albanian army.

The Government of the FR of Yugoslavia recalls once again its position, expressed in the letter of 22 September 1999 to the President of the Security Council, that purported transformation of the terrorist so-called KLA into the so-called "Kosovo Protection Corps" was a sham and a manipulation, so as to avoid the obligation of a genuine demilitarization and disarming of this illegal terrorist organization. This has been clearly proven by the situation in the Province, as is being increasingly openly admitted to even in the biased media and Western political circles.

KFOR and UNMIK, in particular Bernard Kouchner, bear full responsibility that the so-called KLA has not yet been disarmed, and that with their blessing, an illegal Albanian armed formation was created, composed mostly of proven Albanian but also of international terrorists recruited in neighbouring and other States known for sponsoring international terrorism. There is information that Islamic extremists from Chechnya are sheltering in large numbers in Kosovo and Metohija where they enjoy the protection of KFOR and UNMIK.

- **Thriving crime in the Province:** Direct proof that KFOR and UNMIK have failed to discharge their mandates strictly, notably with respect to securing the international borders of the FR of Yugoslavia with Albania and Macedonia, is their patronizing attitude towards Albanian terrorists and separatists who enter the FR of Yugoslavia without hindrance, which is the main cause for the thriving crime and chaos in the Province.

As a result of an unprotected border, in flagrant violation of Security Council resolution 1244 (1999), KFOR and UNMIK have allowed illegal entry into the Province of several hundred thousand criminals and looters from Albania, aimed at spilling over the chaos from Albania into Kosovo and Metohija. Kosovo and Metohija have, thus, been turned into a stronghold of organized international crime, terrorism, narco mafia, illicit arms trafficking, white slavery, juvenile crime and prostitution rackets in Central and Western Europe, with a view to spreading crime and destabilizing Europe and preventing the ongoing integration processes.

4. Civil registration and local elections in Kosovo and Metohija

On the basis of UN SC resolution 1244 (1999), UNMIK has no authority to conduct civil registration and issue personal IDs to the citizens of the FR of Yugoslavia from Kosovo and Metohija. In accordance with the sovereignty and territorial integrity of the FR of Yugoslavia, that right has been vested in the competent State authorities of the Republic of Serbia and the FR of Yugoslavia, in line with the existing legislation.

UNMIK has no authority to conduct local elections in the Province, particularly not without explicit approval and participation of the competent authorities of the Republic of Serbia and the FR of Yugoslavia, but only to monitor them.

The Government of the FR of Yugoslavia confirms its commitment towards fair and democratic elections in the Province. However, it warns again that it will be possible to organize such elections only after necessary conditions are created and the structure of local government (substantial autonomy) is established, for which the elections are being held, which should be an outcome of a comprehensive political process, with active and equal participation of the official authorities and institutions of the Republic of Serbia and the FR of Yugoslavia as well as representatives of all national communities in Kosovo and Metohija.

Against a background of continuing terror, final stages of the ethnic cleansing of Serbs and other non-Albanian population in the Province, absence of conditions for the return of over 350,000 expellees and a presence of a couple of hundred thousand illegal foreign citizens in Kosovo and Metohija, it is evident that there are not even the basic conditions for civil registration in the context of the preparations for the elections to be held in near future. Ignoring these facts and insistence by OSCE and UNMIK to proceed to civil registration in the circumstances described represent an attempt at the policy of fait accompli, i.e. at legalizing local para-Statal institutions set up by the terrorist so-called KLA after the deployment of KFOR and UNMIK in the territory of the Province, and thereby at encouraging the further destabilization of the Province along the lines of achieving the separatist goals of Albanian extremists.

The Government of the FR of Yugoslavia strongly rejects any attempt at calling for early elections in the Province until basic conditions are not met, i.e. consolidated peace and stability on the basis of Security Council resolution 1244 (1999).

This, first and foremost, implies a free and safe return of all expelled Serbs and other non-Albanian population, expulsion of more than 200,000 non-residents of the FR of Yugoslavia who illegally entered the Province since the deployment of KFOR and UNMIK, and agreeing, with the Government of the FR of Yugoslavia, basic parameters for the political settlement in Kosovo and Metohija, in line with UN SC resolution 1244 (1999).

5. Parameters of "substantial autonomy" of the Province

All attempts to establish parameters of "substantial autonomy" of the Province outside the constitutional and legal framework of the FR of Yugoslavia and the Republic of Serbia, are illegal, particularly without active participation of their competent authorities.

The Government of the FR of Yugoslavia most resolutely opposes all attempts that the projects on the future status of autonomy and self-government, enable the separation of the Province from the current constitutional and legal system of the Republic of Serbia and the FR of Yugoslavia, which has no basis in UN SC resolution 1244 (1999), nor in the existing constitutional order of the FR of Yugoslavia, which is inviolable.

The FR of Yugoslavia will not accept, nor will in any way be bound by any acts of imposition of outside solutions for the Province, no matter where they came from. In line with this, it is absolutely against the Security Council legalizing any document containing parameters of a future status of autonomy in Kosovo and Metohija, in whose formulation the official representatives of the Republic of Serbia and the FR of Yugoslavia did not participate directly.

Democratic and fair solution implies a political agreement, with full and equal participation of the representatives of the Republic of Serbia and the FR of Yugoslavia and representatives of all national communities in the Province, when all relevant preconditions are fulfilled:

- ensuring full security of all citizens;

- safe return of all expelled and displaced Serbs and other non-Albanian population;

- disarming of all terrorists and eliminating combat structure of the terrorist so-called KLA, i.e. dismantling of illegal Kosovo Protection Corps;

- suspension of all illegal decisions of "Interim Administrator" and local para Statal and para political structures based on them;

- ensuring full respect and application of the Constitution and laws of the FR of Yugoslavia and the Republic of Serbia;

- normal functioning of the competent State authorities and institutions;

- ensuring conditions for the establishment of democratic, multi-party structure of the Province, etc.

- The Government of the FR of Yugoslavia recalls that the State delegation of the Republic of Serbia, during negotiations in Paris, on 15 March 1999, signed an agreement with the representatives of all national communities in Kosovo and Metohija on self-government in the Province. This unambiguously confirmed its

commitment to have the question of autonomy and self-government in the Province resolved by exclusively political means, on the basis of guaranteeing full equality of all citizens and ethnic communities living in the Province. However, only the representatives of Albanian political parties refused to sign the agreement, those parties whose platform includes separatism and terrorism as an end to it. In doing so, they clearly demonstrated that they were interested only in full "independence" of the Province from "Belgrade", in other words - only in the project that implies the change of the State borders of the FR of Yugoslavia and the Republic of Serbia, which is in direct contravention of the Charter of the United Nations, the Helsinki CSCE/OSCE principles and the basic provisions and substance of UN SC resolution 1244 (1999) and its related documents.

6. The return of Yugoslav Army (VJ) and police (MUP)

- It is unjustified and absolutely unacceptable to continue to fail to implement clear provisions of the Resolution and Military Technical Agreement (operative para 4, subparas 6 and 10, Annex 2 of the Resolution and para 4 of Military Technical Agreement), on return of members of VJ and MUP to the Province, particularly when KFOR and UNMIK have proved totally inefficient in ensuring security for all citizens, peace, rule of law in the Province and particularly in guaranteeing full safety of persons and property, safe and unimpeded return of all expelled Serbs and other non-Albanian population. By such attitude, KFOR and UNMIK directly give in to the interests of Albanian terrorists and separatists and encourage them to continue with their daily terrorization of Serbs and other non-Albanians with the aim at completing the ethnic cleansing of Serbs and other non-Albanians in the Province.

- The Yugoslav Government insists that this obligation be fulfilled immediately and without any conditions, in the interest of all citizens of the Province and of the protection of the sovereignty and territorial integrity of the FR of Yugoslavia and the Republic of Serbia.

7. Responsibility of the United Nations Security Council

The Security Council, as guarantor of its resolution 1244 (1999), is fully responsible for the failure to comply with, and for the flagrant violations of, its key provisions, primarily those reaffirming the sovereignty and territorial integrity of the FR of Yugoslavia on all its territory.

Continued gross violations of the provisions of the Resolution and its related documents by KFOR and UNMIK which brought about an alarming development of the situation in the Province, with potentially far-reaching harmful consequences for the entire region, have not been responded to by adequate measures of the Security Council to put an end to such dangerous developments. This confirms the lack of readiness on the part of the Security Council to fulfil its obligations arising from the Charter, and is therefore to be held directly accountable for the detrimental consequences caused by such conduct as well as for all future developments should the Council continue to be passive.

The Government of the FR of Yugoslavia insists that the Security Council, in accordance with its obligations, took immediate and urgent measures to implement strictly the resolution and its related documents thud preventing the further undermining of the sovereignty and territorial integrity of the FR of Yugoslavia.

- In accordance with the primary responsibility of the Security Council for the consistent implementation of the Resolution and its related documents, **the Government of the FR of Yugoslavia resolutely rejects all attempts to delegate the competencies of the Security Council in connection with the Resolution in any part, to some narrow groups with interests outside the Security Council, such as G-8, the Contact Group, etc. The decisions of such ad hoc bodies, whose mandate is established outside the competencies and control of broader international community, particularly the Security Council, are absolutely unacceptable and cannot have any binding effect for the Government of the FR of Yugoslavia.**

III. ASSESSMENT OF THE CURRENT DEVELOPMENT OF THE SITUATION IN KOSOVO AND METOHIJA

1. Overall performance of KFOR and UNMIK

The results of the ten-month long international security (KFOR) and civilian (UNMIK) presence in the south Serb Province are devastating. The utterly disturbing situation is characterized by wide-spread crime, chaos and lawlessness, large-scale terror, genocide and ethnic cleansing of Serb and other non-Albanian population, destruction of their private property, looting and usurpation of the property of the State and of private firms, carried out by armed Albanian extremists, members of the terrorist so-called KLA in particular.

- Multiethnic Kosovo and Metohija - hypocrisy of KFOR and UNMIK:

Developments in the Province, owing to non-implementation of SC resolution 1244 and its flagrant violation by KFOR and UNMIK have fully revealed that verbal commitment by KFOR and UNMIK for the maintenance of multi-ethnic structures in the Province are mere farce. Total failure of the international mission under the auspices of the United Nations is a serious blow to the reputation and credibility of the world Organization. In particular, it is inadmissible that the KFOR and UNMIK, in a situation when they are doing nothing to ensure the return of more than 350 thousand expelled Serbs and other non-Albanian population are trying to impose their commitment for an alleged multi-ethnicity by force only on the remaining Serb enclaves, which is a clear message to the Serbs that they are undesirable.

- **Ethnic cleansing** of Serbs and Montenegrins in the largest part of the Province has been already accomplished. Concentrated attacks of Albanian terrorists and senseless moves by KFOR and UNMIK towards the remaining Serbian enclaves, above all Kosovska Mitrovica as the largest one, confirm a direct collusion between Albanian terrorists and international forces in Kosovo and Metohija in an ethnic cleansing campaign of the Province of non-Albanian population, primarily Serbs.

The insistence of KFOR and UNMIK on the establishment of multiethnic communities, particularly the so-called security zones, in the remaining Serbian enclaves in particular is both unconvincing and cynical, while at the same time no one is even mentioning for example Pristina in which about 40 thousand Serbs and Montenegrins used to live before the arrival of KFOR and UNMIK, with hardly hundred of them remaining now. Particularly striking is the fact that of the previous 250,000 Serbian school children and undergraduate students who attended classes in Pristina there are now only 35 of them who attend school outside Pristina (Laplje selo).

At the same time, there is not a word about the re-establishment of multi-ethnic structure in Prizren, Pec, Orahovac, Djakovica, Glogovac and many other towns, villages and areas in Kosovo and Metohija, like Kosovo Pomoravlje, which are also completely ethnically cleansed of Serbs and Montenegrins. Moreover, the most responsible official of the world Organization, Secretary-General Kofi Annan, in his latest report to the Security Council (C/2000/177 of 3 March 2000) only notes that there are no conditions for the return of expelled Serbs and other non-Albanian population, while at the same time he does not even mention that he will undertake measures to create such conditions, although it is an explicit obligation under UN SC resolution 1244 (1999).

The latest "games" by KFOR and UNMIK over Kosovska Mitrovica are but a new confirmation of the proven policy of demonizing Serbs in order to justify true ends, namely finalization of the ethnic cleansing of the Province of all its Serbs and to cover up the fact that the members of the terrorist the so-called KLA have neither been demilitarized nor disarmed. Recent articles in the French press fully expose perfidious tactics of B. Kouchner and those who stand behind him, aimed at fuelling and artificially maintaining at all cost the picture of the Serbs as usual suspects. In doing so, B. Kouchner seeks to conceal that he is directly involved in catering to the interests of a separatist movement of H.Thaqi and A. Cheku, to the detriment of the vital interests of the Serbs and other non-Albanian population, the Republic of Serbia and the FR or Yugoslavia.

- **Non-compliance and gross violations of the basic provisions of Security Council resolution 1244 (1999) and its related documents by KFOR and UNMIK,** has resulted directly in the dramatic security and general situation in the Province, above all in the continuation of Albanian terrorism, violence and ethnic cleansing of Serbs and other non-Albanian population and wide scale crime and lawlessness in the Province. Thus KFOR and UNMIK have become accomplices in the most serious crimes committed against Serbs and other non-Albanian population and they are responsible mostly for the lack of elementary security of Serbs and non-Albanian population in the Province.

However, the tested tactics of deluding the world public and of diverting the attention from the complete fiasco of international mission under the auspices of the United Nations is in place, while the attempts are being made to blame at any rate the remaining Serbs. This is not only a cynicism of its own kind, but also a proof of direct protection of Albanian terrorists and separatists, of organized international crime and of the continuation of a new form of aggression against the FR of Yugoslavia though the alliance of NATO and terrorist so-called KLA. Such activity is obviously aimed at spreading the destabilization over the entire region of southeastern Europe and transforming Kosovo and Metohija into a centre of prolonged destabilization of Europe, and the entire region into a centre for the concentration and spreading of international terrorism throughout Europe in order to jeopardize the processes of integration.

The continuous deterioration of the overall situation in the Province is in line with the efforts to provoke artificially the prolonged destabilization in the region which should justify the existence of NATO and rehabilitate its prestige and authority which have been seriously brought into question by its illegal aggression against the FR of Yugoslavia. Therefore, manipulations with utterly malicious assertions of KFOR and UNMIK officials about an alleged success of the international mission in the Province have continued, as also evidenced in the recent report of the UN Secretary General to the Security Council.

The statements of KFOR and UNMIK representatives of alleged success of the international mission in the Province are absolutely unacceptable since they are not founded on real situation on the ground and consequently this inevitably leads to a conclusion that they are based on the assessment of some other goals which are different from those set up in Security Council resolution 1244 (1999) and its related documents. The data presented by KFOR and UNMIK concerning the decrease of crimes in the Province are also unacceptable and malicious, because they are the result only of a continuous reduction of the total number of Serbs and other non-Albanian population who are the victims of Albanian terrorists.

Open cooperation of KFOR and UNMIK with Albanian separatists and terrorists in jeopardizing the sovereignty and territorial integrity of a sovereign Member State of the United Nations is without a precedent in the history of the UN peace-keeping missions, whereby the reputation and authority of the United Nations are seriously brought into question. The credibility of the world Organization is particularly eroded by the behaviour of its representative B. Kouchner, which has been recently openly spoken about in France (articles in "Le Point", "Le Canard Enchaine" and other media).

2. Strict implementation of the Resolution and its related documents - an imperative for the normalization of the situation in Kosovo and Metohija.

All parameters unambiguously confirm that the developments in the Province are moving towards the further worsening of the overall situation, its dangerous compounding and increased threats to the overall stability of the region.

By the gross violation of the provisions of the Resolution and by their overall conduct, KFOR and UNMIK have unambiguously confirmed that **the presence of international forces under the auspices of the United Nations in Kosovo and Metohija so far is a complete fiasco.** The United Nations Security Council bear primary responsibility tragic consequences brought about, since it failed to undertake necessary and energetic measures it was bound to under the Resolution, to ensure a strict implementation of the provisions of the Resolution and its related documents.

It is obvious that there is no longer an excuse for further stay of the mission of the so-called international community, since it was not able or did not want to carry out the mandate entrusted to it in UN SC resolution 1244 (1999). It is therefore necessary that this shameful mission be ended as soon as

possible and that the competent authorities of the FR of Yugoslavia and the Republic of Serbia be enabled to:

- **restore order and peace, rule of law and legality;**
- **ensure personal protection and the protection of the property of all its citizens irrespective of their ethnic origin or religion;**
- **ensure normal functioning of all commercial entities and local authorities, and**
- **create all necessary preconditions for launching political dialogue between the representatives of the State and ethnic communities in Kosovo and Metohija about the parameters of autonomy and self-governance in the Province, within the constitutional system of the Republic of Serbia and the FR of Yugoslavia.**

Strict compliance with the resolution and its related documents is the fundamental precondition for the normalization of the overall situation in the Province and the obligations of all to respect it unconditionally.

In that context, the Government of the FR of Yugoslavia expects that its previous initiative for a mission of the Security Council to visit the FR of Yugoslavia and sees first hand the dramatic developments in the southern Serb province has been implemented in the very near future.

IV. DEMANDS OF THE GOVERNMENT OF THE FR OF YUGOSLAVIA

Proceeding from its sovereign rights, guaranteed by Security Council resolution 1244 (1999), Ahtisaari-Chernomyrdin document and Military Technical Agreement, **the Government of the FR of Yugoslavia most resolutely reiterates its demand:**

- that the Security Council undertake urgently energetic measures to ensure strict respect of all provisions of the Resolution and its relevant documents, above all, those guaranteeing the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory;

In this context, the Yugoslav Government **insists in particular :**

- that UNMIK and KFOR unconditionally and without delay respect and implement the mandate set up in the Resolution and its relevant documents;
- that KFOR and UNMIK strictly respect sovereignty and territorial integrity of the FR of Yugoslavia and the Republic of Serbia and immediately end all acts and behaviour violating them, and restore the situation in the Province to the status quo ante;

This, above all, implies:

- full normalization of customs and border regime, inevitable return of Yugoslav border authorities, customs and passport control to the State border of the FR of Yugoslavia with Albania and Macedonia;
- normalization of public services (PTT, power supply system, railway, banking system) in accordance with the laws of the Republic of Serbia and the FR of Yugoslavia and principles of market-oriented economy in view of restoring the ties of the Province with the Republic of Serbia and the FR of Yugoslavia which have been artificially broken;
- that all regulations and other decisions of UNMIK and KFOR which violate territorial integrity and sovereignty of the FR of Yugoslavia and the Republic of Serbia be rescinded, that the respect for the laws in force of the FR of Yugoslavia and the Republic of Serbia be ensured on their entire territory; in that context, it most resolutely opposes the abuse of authority

by UN SG Special Representative B. Kouchner in connection with civil registration and local elections in the Province and planned procedure to establish parameters of "substantial autonomy", without direct participation of

the competent authorities of the FR of Yugoslavia and the Republic of Serbia, in accordance with the existing Yugoslav legislation;

- to undertake energetic measures to put an end to terror, intimidation and ill-treatment of Serbs, Roma, Muslims, Goranci, Turks and members of other non-Albanian ethnic communities, as well as abuse of force which results in violation of their fundamental human rights and efficiently prevent further ethnic cleansing of the Province of non-Albanian population;

- that all illegally seized State, public, socially-owned and private property primarily PTT, power supply system, railway, banks, mines, factories, firms, as well as private property of citizens of the Province, be returned to legal owners.

- that immediately a safe environment for all citizens and their full personal safety and safety of their property be ensured;

- that a free and safe return to the Province be ensured without delay to more than 350,000 Serbs, Montenegrins, Roma, Goranci, Turks, Egyptians and other inhabitants expelled in a campaign of ethnic cleansing after UNMIK and KFOR came to the Province;

- that several hundred thousand citizens of Albania who have illegally entered the Province by crossing the unprotected Yugoslav State borders, be expelled immediately;

- that without further manipulations and delay, the combat structures of the terrorist so-called KLA be disbanded and all its members disarmed as well as other Albanian armed gangs, that all their weapons be destroyed, which is the main reason for the lack of security in the Province and for overall thriving crime, and in particular to declare null an void the document on the "transformation" of the so-called KLA;

- that, without delay, an unhampered return of the members of VJ and MUP to Kosovo and Metohija be allowed, in compliance with the MTA, in the interest of normalizing security and preventing further massive expulsions of the remaining Serbs and other non-Albanian population from the Province;

- that full freedom of movement on the entire territory of the Province be ensured and that all existing ghettos, detention camps, blockading of towns and villages, such as Kosovska Mitrovica, Orahovac, Gnjilane and others, where the remaining Serbs now live, be removed;

- that an unimpeded delivery of humanitarian assistance be enabled, particularly to isolated Serbs, as the most vulnerable category of population in the Province;

- that normal functioning of education, respect for the autonomy of university and other educational and cultural institutions and the media, especially those in Serbian language and wherever Serbs are predominant (Kosovska Mitrovica, etc.) be ensured;

- that full and permanent protection of remaining cultural and historic monuments, medieval monasteries, churches and cemeteries be ensured and to undertake measures for their gradual restoration;

- that without delay, the leaders of the so-called KLA, H. Thaqi and A. Cheku in the first place, as well as all other instigators of serious crimes, genocide, ethnic cleansing and terrorist acts against the non-Albanian population, their property and State and public property, and against cultural and historic sites, educational, health, commercial and other institutions and facilities, be held accountable and punished in an exemplary fashion;

- that without any further delay, a comprehensive agreement between the FR of Yugoslavia and the United Nations on regulating the status of the international presence under the auspices of the United Nations in Kosovo and Metohija and on other relevant issues, be concluded without further delay.

Belgrade, 3 April 2000

Appendix

OVERVIEW

of terrorist and other acts of violence and of certain violations of Security Council resolution 1244 (1999) in the Province of Kosovo and Metohija since the arrival of KFOR and UNMIK in the period from 10 June 1999 to 30 March 2000

(1) Number of terrorist attacks: 4,564

4,314 were committed against Serbs and Montenegrins, 104 against Albanians and 146 against Roma, Muslims, Goranci, Turks and members of other nationalities.

(2) Number of killed persons: 936

835 were Serbs and Montenegrins, 72 were Albanians and 29 members of other nationalities in Kosovo and Metohija.

(3) Number of abducted and missing persons: 867

798 were Serbs and Montenegrins, 40 Albanians and 29 members of other nationalities.
The fate of 744 persons is still unknown; 81 abducted persons were killed, 6 persons escaped while 36 were released.

(4) Number of wounded persons: 876

824 were Serbs and Montenegrins, 20 Albanians and 32 other nationalities.

(5) Ethnic cleansing: In the campaign of ethnic cleansing following the deployment of KFOR and UNMIK over 350 000 Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were expelled from Kosovo and Metohija, of whom 270 000 are Serbs.

The following towns and villages are ethnically cleansed of Serbs, Roma, Muslims, Goranci, Turks and other non-Albanians:
- Pristina (all Serbs have been driven from its largest suburbs of Ulpijana, Sucani Breg, Dardanija, Univerzitetsko Naselje). Of the 40 000 Serbs who used to live in Pristina before KFOR and UNMIK came to the Province, 25 000 were schoolchildren and undergraduate students. Today, only 35 Serb schoolchildren live there and attend classes a local school in the village of Laplje;
- Gnjilane, Urosevac, Prizren (only 100 Serbian families remained);
- Djakovica, Pec, Podujevo, Glogovac, as well as the wider areas of Kosovska Mitrovica (Vucitrn, Srbica), Lipljan, Kosovo Polje, from which 80 per cent of Serb residents were expelled (their homes are burned, looted and property is seized from the owners of cafes and shops, while Albanian terrorists brutalize and mistreat those Serbs who refuse to sell their homes and leave Kosovo and Metohija, in the presence of KFOR);
- the whole area covered by the municipalities of Istok and Klina including the villages: Dzakovo, Osojane, Tucepom, Kos, Zac, Belica, Krnjine, Maticane, Kacanik, Stimlje, Kmetovacka Vrbica and others, where 3 440 Serbian homes were burned down;

- the surroundings of Urosevac, Slivovo, Nedakovac, Nevoljane, Vrpica, Ljestar, Zegra (municipality of Gnjilane), Zitnje, Pozaranje, Grmovo, Drobes;
- the surroundings of Vitina (Kabas, Binacand other villages), the areas of Kosovska Kamenica (villages of Bratilovce, Firiceja and others) and Kosovsko Pomoravlje, as well as the villages of Toplicane, Rujice, Magure, Slovinja, Staro Gracko, Klobukar in the municipality of Novo Brdo. (All Serb houses have been burned down and all its owners forced to leave.)

Members of the terrorist "KLA" exercise particularly strong pressure on the region of Gora populated by an indigenous ethnic group - Goranci, who are not allowed to use their mother tongue, i.e. the Serbian language, in schools and in everyday life, in an attempt to misrepresent this ethnic group as members of Albanian nationality.

In the area of Istok municipality, expulsion of the Muslim ethnic community, who are loyal citizens of the FR of Yugoslavia, has been particularly intensified.

(6) The latest brutal crimes: Planting of explosives in the home of Azem Dzaferi, a Muslim, in Prizren (1 March 2000); shelling of the village of Grabovac and a bombing of the building housing the training centre in Obilic (3 March 2000); brutal attacks on Serbs in the villages of Bostane and Trnicevce (6 March 2000); terrorist bombings of the Serbian section of Kosovska Mitrovica, in which 19 Serbs were injured (7 March 2000); shelling of the Serbian village of Gorazdevac (10 March 2000); brutal murder of Srdjan Peric by beating him about the head with a axe when the terrorists opened machinegun fire at a group of Serbs working in the field (11 March 2000); blasting of a railway overpass causing interruption of services between Kosovska Mitrovica and Lesak, municipality of Leposavic (22 March 2000).

(7) New forms of terror against Serbs and other non-Albanian population:
KFOR's security actions against Serbian and other non-Albanian population increasingly demonstrate force, harassment, physical violence, including causing damage to Serb property. Drastic incidents occurred in Kosovska Mitrovica (on 20-25 February) as well as in the villages of Mogila (on 25-26 February), in which Serbian houses were searched by using the method of most brutal physical violence, Draganovac (Gnjilane municipality) and Miolice (Leposavic municipality), Mali Zvecan (27 February), Gornje Kusce (1 March) and the Serbian villages of Rudare and Grabovac (1 March). The searches were conducted by KFOR jointly with the terrorists of the so-called KLA, who wore international security forces uniforms, thus proving the co-ordination between KFOR and Albanian terrorists.

(8) Latest terrorist attacks on Serb convoys:
Attacks on the Serb convoys headed for Strpce, near the village of Radivojce (on 22 and 29 February); attack on the Serb convoy en route to Koretiste, in the village of Dobricane (28 February); attack on the bus transporting Serb children on their way back from school, on the orad between Gornje Kusce and Koretiste (29 February); Lieutenant Peter Ramstel (KFOR, Kosovska Mitrovica area) banned all KFOR security escorts for buses transporting Serbian schoolchildren and sick persons to Gracanica (1 March); attacks against Serb convoys in the village of Koretin (6 and 20 March); repeated attacks against Serb convoys in Gnjilane (7 and 10 March); an attack on a Serb convoy in the village of Dobrovce (27 March).

KFOR has not prevented these attacks by terrorists. Also, it has refused to provide security escorts between Merdare and Kosovo Polje. This is yet an additional pressure on Serbs to leave and flee the daily terror against them in Kosovo Polje.

(9) Number of arbitrarily arrested persons by KFOR and UNMIK: 191
Arrested Serbs are detained in prisons in Pristina, Prizren, Sojevo near Urosevac, Kosovska Mitrovica, Gnjilane, Lipljan and Klokot Banja.

They have been arrested without any explanation or charges, only on the ground of information provided by the Albanians, most frequently by the members of the terrorist so-called "KLA".

(10) Prison and labour camps run by the so-called "KLA" for abducted Serbs

The abducted Serb civilians are detained by the so-called "KLA" in the labour camps located in the village of Maticane and in the wider area of Prizren (Ortokal estate, a building situated on the road to Djakovica) and in Drenica.

The prisons run by the so-called "KLA" for Serbs, Montenegrin and other residents who are not supportive of Albanian terrorists are also situated around the village of Brod, Dragas municipality, and along the Djakovica road towards the village of Junik, Decani municipality, as well as in the villages of Glodjane, Izbica and Strovce in the Kosovska Mitrovica district.

(11) Situation in Kosovska Mitrovica:

Since KFOR and UNMIK were deployed in Kosovo and Metohija, the security situation is particularly serious in and around Kosovska Mitrovica, characterized by:

- the looting and destruction of 2,365 homes belonging to Serbs, Montenegrins and other non-Albanians (1,200 in Kosovska Mitrovica; 1,060 in Vucitrn; and 105 in Srbica);
- 700 Serbian families being thrown out of their flats (500 in southern part of Kosovska Mitrovica; 150 in Vucitrn; and 50 in Srbica);
- the looting and destruction of the property of the following companies:

1. In Kosovska Mitrovica: Socially-owned companies "Kosovo-Sirovina", "Betonjerka", "Lux", "AMD", "Kosmet-Prevoz", "Trans-Kosovo", Duvanska, Minel, Zemljoradnicka zadruga (cooperative), Hortikultura, Mitrovcanka, DES, "Ibar-Rozaje" warehouse, the utility company "Vodovod" (water), the printing company "Progres", the public company "Elektro-Kosovo", PTT and a larger number of bars and cafes owned by non-Albanian residents.

2. In Vucitrn: Socially-owned companies "Sartid", "Vucitrn-Prevoz", "Ratar", the local cooperative, the paints and coatings factory "Ekstra", the construction company "Kosovo", the utility company "Sitnica", the private company "Cicavica", the Labour Exchange, the local community centre, the municipal authorities of Vucitrn, the Building Land Fund, the local department store, the Auditing Office building, Jugobanka, primary and secondary schools, Jugopetrol, Beopetrol, the public company "Elekro-Kosovo", PTT.

3. In Srbica: Hunting munitions factory, plastics factory, the socially-owned company "Buducnost", local cooperative, the public utility company, the socially-owned company "Dijamant-produkt", the local community centre, the local self-managing community of interest, the socially-owned company "Zitopromet" and its silos.

(12) Recent killings and terrorizing of Albanians loyal to the FR of Yugoslavia:

The terrorist so-called "KLA" has stepped up execution of Albanians who do not back it, in particular in the areas of Pristina, Podujevo and Pec. The most drastic examples are: the murder of Hejdi Sejdiu, a member of the Serbian Socialist Party Committee in the province, in his home town of Urosevac in front of his wife and three children (on 10 February), the killing of Danus Januzi in Vitina (on 10 February); the massacre of Tahir Bekim, who was abducted and later killed by the terrorists of the so-called "KLA" (parts of his mutilated body were found on 24 February).

The terrorists of the"KLA" have burnt down the house of Selim Brosi, former head of the Ministry of the Interior of the Province, in the village of Odanovce, municipality of Kosovska Kamenica on 20 March 2000. They are also trying to catch Redzepi Sinan, former employee of the Ministry of the Interior of the Province. Every day they are threatening Sadik Hajrulah from Vitina, Ramadan Sermadzi, an employee of the Ministry of the Interior in Gnjilane, Minir Krasnici from Kosovska Kamenica, as well as other former or present members of the Ministry of the Interior of the Province in Gnjilane, who are of Albanian nationality.

Besides Serbs, the terrorist so-called "KLA" also round up Albanians loyal to the State of the FR of Yugoslavia and bring them to their prison camps (around the village of Brod, Dragas municipality).

(13) Destruction of churches, monasteries and cultural monuments:
85 churches, monasteries and other cultural monuments were burned down, demolished or seriously damaged including the following: the Church of Assumption of Our Lady in Dolac, monastery of St. Marco in Korisa from 1467, monastery of Prophets Kosmo and Damien in Zociste from 14th century, the church in Kijevo from the 14th century, the Holy Trinity monastery from the 14th century near Musutiste, monastery Devic built in 1440, Church of St. Paraskeva in Drenik from the 16th century, Church of St. Dimitri near Pec, the Orthodox church in Grmovo near Vitina, Church of St. Ilija in Zegra near Gnjilane, church of Holy Mother in Musutiste from 1315, Church of St. Prophet Ilija in Bistrazin, Church of Apostles Peter and Paul in Suva Reka, monastery of St. Uros in Nerodimlje, monastery of St. Archangel Gabriel from the 14th century in Binac, Church of the Holy Virgin from the 16th century in Belo Polje, Church of St. John the Baptist in Pecka Banja, churches in the villages of Naklo, Vucitrn, Petrovac, Urosevac, Podgorce, Djurakovac, Krusevo, Osojane, Samodreza, Dresna near Klina, Rekovac, Petric, monastery Binac near Vitina, Holy Trinity Cathedral in Djakovica, St. Nicholas' Church in Gnjilane.

Clergy, monks were terrorized and persecuted. More than 150 parish residences were destroyed or damaged. Over 10,000 icons and other sacred objects, most of which are cultural monuments and landmarks under the special protection of the State, were stolen or destroyed.

Assaults on members of the Catholic religious community by the terrorists of the so-called "KLA" have become more and more frequent in Prizren and Pec, particularly assaults on clergymen (The homes of two Franciscan priests were burned down.).

The following cultural monuments were damaged or demolished:
- monuments in memory of the giants of Serbian and Montenegrin literature Vuk Karadzi③ and Petar Petrovic Njegos in the very centre of Pristina;
- monuments in memory of King Uros in Urosevac and King Dusan in Prizren;
- memorial to Prince Lazar in Gnjilane and the memorial to Serbian rulers from the Nemanjic dynasty in the village of Gornje Nerodimlje;
- memorial to Milos Obilic which was the symbol of the town of Obilic. KFOR have placed the damaged statue within the compounds of the thermal power plant "Kosovo B".

Many of the destroyed monuments are outstanding examples of the Serbian cultural heritage and are on the list of the monuments of exceptional cultural value under the protection of UNESCO.

(14) Forced and illegal taking over of public institutions:
- Forcible and illegal take-overs of premises and buildings of post offices, banks, medical institutions, water and power supply systems, university, elementary and secondary schools, municipal and other authorities of local administration, local communes, buildings of the Ministry of the Interior and the Army of Yugoslavia, factories, enterprises, cooperatives, etc. in Pristina (premises of the Clinical Centre "Pristina" and the health station whose equipment has been stolen and taken to private practices, the Federal Customs Administration, the Public Housing Company, the Institute for Urban Planning, the public enterprise "Vodovod", thermal power plant "Kosovo B", depots and petrol stations of "Jugopetrol", the shareholding companies "Kosmet-Pristina", "Kosovo-Trans", the public enterprise "Energoinvest", the public enterprise "Autopristina", the car shock absorbers factory, "Jugotrans", etc.) as well as in Prizren, Dragas, Podujevo, Lipljan, Strpci, Kosovska Mitrovica, Kosovo Polje (with the assistance of KFOR), Djakovica (with the assistance of KFOR).
- By forced and illegal taking over of public enterprises and institutions over 20,000 employed Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were sacked and left with no means to support themselves.

(15) Armed and artillery attacks on villages: Slovinj, Maticane, Orahovac, Konjuh, Berivojce, Gornja Brnjica, the villages around Kosovska Kamenica: Grncar, Magila, Ajvalija, all the villages of the Istok-Klina region, Gorazdevac near Pec, Svinjare, Klokot, Novo Brdo, Zjum, Donja and Gornja Gusterica, Susica, Badavac, Bresje,

Vrbovac, Vitina, Cernice, (municipality of Gnjilane), Dobrusa, Veliko Ropotovo (municipality of Kosovska Kamenica), Partes, Podgradje, Malisevo and Pasjane (municipality of Gnjilane), Ljestar, Budriga, Dobrotin (municipality of Lipljan), Grncar, Binac, Ranilug, Silovo, Odovce, Rajanovce, Bosce, Caglavica, Paravolo, Lebane, Gojbulja, Suvo Grlo and Banje (municipality of Srbica), in the following villages in the area covered by the municipality of Gora: Brodosavce, Belobrod, Kukavce - frequent attacks against the houses of Goranci, Muslims and Albanians who are loyal to the FR of Yugoslavia, and in Grabovac (municipality of Zvecan).

All Serb houses in the villages of Donji Livoc, Kmetova Vrbica, Lipovica and Cernice in the municipality of Gnjilane, and in the villages of Vaganes, Gradjenik and Orahovica in the municipality of Kosovska Kamenica, all forming part of Kosovsko Pomoravlje, were set on fire and destroyed by mortars or explosives.

All this runs counter to assertions by KFOR and UNMIK that the terrorist "KLA" has been disarmed.

(16) Sieges of towns and villages: Gadnje, Orahovac and Velika Hoca, Koretin, villages around Gnjilane, Priluzje, Gornja Srbica, Gorazdevac.

About 3,500 Serb residents of Orahovac have been living for more than eight months since the deployment of KFOR and UNMIK in the first concentration camp in Europe after the Second World War, besieged by the terrorist "KLA".

(17) Armed threats against villages and terror committed on a daily basis against non-Albanian population: Ugljari, Srpski Babus, Stimlje, Novo Selo, Bresje, Obilic, the area around Kosovo Polje, Milosevo (against which the armed attack was carried out), village of Zebnice (dramatic humanitarian situation), the majority of the mainly Catholic Croatian population who lived in the villages of Letinice, Vrnez, Vrnavo Kolo and Sasare have moved out, Drenovac (50 Serbs massacred), village of Cernice (a series of incidents in which US KFOR soldiers maltreated Serbs), Pozaranje, Gotovusa, Gatnje, Zubin Potok, Veliki Alas, Vrelo and Radevo, Plemetin and Slatina (municipality of Vucitrn), Crkolez (municipality of Istok), Ogose - municipality of Kosovska Kamenica (where almost all Roma families have been driven out), Banjska, Gojbulja and Miroce (municipality of Vucitrn), Brezanik (municipality of Pec).

(18) The looted Serb villages from which the residents were forced out: Muzicani, Slivovo, Orlovic, Dragas, the area around Kosovo Polje, Livadice, Mirovac, Sirinicka Zupa, Medregovac, Grace, Zociste, Sofalija, Dragoljevac, Tomance, Koretin, Lestar, Donja Sipasnica, Miganovce, Laniste and Zmijarnik (municipality of Kosovska Kamenica).

(19) Serb settlements set on fire: Istok, Klina, Donja Lapastica, Obrandza, Velika Reka, Perane, Lause, the villages around Podujevo, Grace, Donja Dubica, Zociste, Orahovac, Naklo, Vitomirice, Belo Polje, Kojlovice, Alos-Toplicane, Krajiste, Rudnik, Donji Strmac, Goles (municipality of Lipljan), Orlovic (municipality of Pristina), Krpimej and Lausa (municipality of Podujevo), Muzicane (all Serbian houses burned down), Zaimovo, Denovac, Lesjane, Gornje and Donje Nerodimlje (all Serbian houses looted and then burned down), Sinaje (municipality of Istok), Balovac, Mali Talinovac, Ljubizda, Klobuka and Oraovica (municipality of Kosovska Kamenica), Zaskok and Novi Miros (municipality of Urosevac).

(20) Registered number of homes burned down: About 50,000 houses of Serbs, Roma, Muslims, Goranci and other non-Albanians were burned down in Kosovo and Metohija.

(21) Registered number of illegal entries of foreign citizens into the FR of Yugoslavia (Kosovo and Metohija) without the necessary papers (visas and registration of stay with the competent authorities): 781

Over 200,000 foreigners have illegally entered into the Province with the consent of UNMIK and KFOR. The Government of the FR of Yugoslavia has officially requested their expulsion on several occasions. These requests

have not been met, although those persons are international terrorists, criminals, narco-mafia members, women and child traders, organizers of brothels and other forms of international crime.

(22) Registered number of stolen vehicles: over 12,000

As a result of open borders with Macedonia and Albania 250,000 vehicles were brought into Kosovo and Metohija without the payment of customs duties and most of these vehicles were stolen.

(23) Registered number of cases of violation of the ground security zone by KFOR: 302

REVIEW OF TERRORIST AND OTHER ACTS OF VIOLENCE AND OF CERTAIN VIOLATIONS OF SECURITY COUNCIL RESOLUTION 1244 (1999) IN THE PROVINCE OF KOSOVO AND METOHIJA SINCE THE DEPLOYMENT OF KFOR AND UNMIK IN THE PERIOD FROM 10 JUNE 1999 TO 30 MARCH 2000

Terrorism of Albanian separatists

Total number of terrorist attacks	4,564
- Serbs and Montenegrins	4,314
- Albanians	104
- members of other nationalities	146
A. Killed	936
- Serbs and Montenegrins	835
- Albanians	72
- members of other nationalities	29
B. Wounded	876
- Serbs and Montenegrins	824
- Albanians	20
- members of other nationalities	32
C. Kidnapped and missing	867
- Serbs and Montenegrins	824
- Albanians	20
- members of other nationalities	32
Fate of kidnapped and missing	
1. Killed	81
2. Escaped	6
3. Unaccounted-for	744
4. Released	36

United Nations S/2000/285

Security Council

Distr.: General
4 April 2000
English
Original: Arabic

Letter dated 4 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to notify you of continued violations of the ceasefire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 19 February and 13 March 2000, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-37869 (E) 060400 060400

Annex

Iranian violations of the ceasefire and the 1991 Tehran agreement, 19 February-13 March 2000

1. *19 February 2000*

At 0230 hours the Iranians directed concentrated fire from GC assault rifles at a United Arab Emirates vessel in the Shatt al-Arab off the Fada'iyah area at coordinates 2743 (1:100,000 map of Saybah). The superstructure of the vessel, which carries oil, was damaged and it was brought to a halt.

2. *19-20 February 2000*

At 2230 hours the Iranians launched illumination flares in the area between the Salah al-Din post and the Hurriyah post and sounds of firing and banging were heard from inside Iranian territory.

3. *23 February 2000*

(a) The Iranians reinforced the mound opposite Faw city at coordinates 3721 (1:100,000 map of Faw) by installing a machine-gun nearby pointing towards the city.

(b) The terrain at coordinates 5918 (1:100,000 map of Mina' al-Bakr), between the tubular bridge and the customs control post for the southern region in Shatt al-Arab city, was reinforced by the installation nearby of a machine-gun pointing towards our territory.

4. *24 February 2000*

An Iranian military helicopter flew over Iranian territory opposite Iraq's Sayhah post, the Ayn Naft mound and the Khalid post in the Badrah sector. It then returned towards the Iranian rear.

5. *28 February 2000*

At 1800 hours three military personnel infiltrated from the area opposite the Bakhliyah border post at coordinates 345745 and directed light-weapons fire at the post. The post returned fire.

6. *28 February 2000*

At 1000 hours, Adnan Alwan, a resident of Bikah village in Khanaqin district, was abducted while tending sheep inside Iraqi territory in the Zayn al-Qaws area by two armed elements carrying assault rifles for whom an Iranian military vehicle was waiting inside Iranian territory close to the boundary with Iraq.

7. *1 March 2000*

At 2000 hours some of the Iranian positions along the shore in the area opposite Sayhan at coordinates 324569 and opposite Bid'ah island at coordinates 308598 engaged in intermittent random firing in the air. At 0500 on 2 March the shooting stopped.

8. *8 March 2000*

An Iranian helicopter was seen inside Iranian territory opposite our units at coordinates 7815 (1:100,000 map of Khazinah).

9. *9 March 2000*

At 0800 hours the Iranians proceeded with the clear-burning of the reed-beds along the Iranian shore opposite the Faw area at coordinates 342233 (1:100,000 map of Faw).

10. *13 March 2000*

At 0930 hours a military helicopter was seen coming from the Iranian rear and hovering over Iran's Karbulah post at coordinates 4213 (1:100,000 map of Khanaqin). It continued to hover for three minutes and then returned towards the Iranian rear.

11. *13 March 2000*

At 1015 hours a remotely piloted reconnaissance aircraft was seen heading from the Iranian rear towards our national territory on a course from Greater Ak Dağ to Lesser Ak Dağ and flying over our units at an altitude of 2,000 metres. It was engaged by our ground-based anti-aircraft units, and at 1020 hours they succeeded in bringing it down at coordinates 2813. The aircraft had been used to reconnoitre and photograph our forward units.

12. *13 March 2000*

At 1725 hours a white remotely piloted reconnaissance aircraft was seen coming from the Iranian rear on a course from Greater Ak Dağ along the international boundary line and heading south at an altitude of 2,000 metres inside Iranian territory before disappearing in the direction of the Iranian rear. It was being used to reconnoitre and photograph our forward units.

United Nations S/2000/286

Security Council

Distr.: General
5 April 2000

Original: English

Letter dated 5 April 2000 from the President of the Security Council to the Secretary-General

In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 30 March 2000 (S/2000/269), the members of the Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) and its modalities of operation.

I have the honour to inform you that the members of the Security Council concur with your recommendation that UNIKOM be maintained. In accordance with Council resolution 689 (1991), they have decided to review the question once again by 6 October 2000.

(*Signed*) Robert R. **Fowler**
President of the Security Council

00-38005 (E) 050400

United Nations S/2000/287

Security Council

Distr.: General
5 April 2000

Original: English

Letter dated 5 April 2000 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you the final communiqué of the Technical Consultative Symposium on the Somali Peace Process, held in Djibouti from 21 to 30 March 2000 (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Roble **Olhaye**
Ambassador
Permanent Representative

00-38011 (E) 050400

Annex

Final communiqué of the Technical Consultative Symposium on the Somali Peace Process, Djibouti, 21-30 March 2000

A Technical Consultative Symposium on the Djibouti-initiated Somali Peace Process was held in Djibouti from 21 to 30 March 2000. Ismäil Omar Guelleh, President of Djibouti, opened the symposium which was attended by over 60 intellectuals and peace activists from Somalia and the diaspora.

This is the first inclusive civil society-based peace initiative of its kind. The people of Djibouti, its Government and President Guelleh played a facilitating role. This combination of our neighbour's genuine commitment and civil society's ownership of the symposium made this a unique and valuable turning point in the search for peace and reconstruction. A congenial atmosphere was created that provided a sound basis for the ongoing consultations. The Djibouti-led initiative is a process rather than an event.

The participants view this symposium as a major step forward in the implementation of the Djibouti peace plan. The purpose of the meeting was to provide the Government of Djibouti with informed technical advice on certain issues crucial to the Somali peace process in general and the forthcoming National Peace Conference in particular. The challenges that lie ahead include the modalities of a national transitional authority and the issue of participation in a transitional national assembly.

Those who dominated Somali political leadership by means of excessive force replaced Somali's conciliatory culture with a politics of distrust premised on the violent resolution of social conflict. The Djibouti initiative is aimed at recovering that old tradition. Consequently, civil society and marginalized groups are the major actors in this new process. Somalis registered their support for this peace initiative. Demonstrations throughout the country attest to the people's desire for an open and non-violent political order.

Having considered the relentless efforts towards peace and rehabilitation in Somalia over the last decade by the international community, the participants gratefully acknowledge its endeavour. The role of the international community in the Somali peace process is important and crucial. The fact must be underscored that external actors have a critical constructive or destructive role to play, given Somalia's condition.

In this context, we wish to voice our sincere gratitude to the international community for its sustained support to the Djibouti-led peace initiative. We suggest that parallel initiatives to the Djibouti peace process are counterproductive. Any parallel initiatives will fail the Somali cause. We urge the United Nations, the European Union, the Organization of African Unity, the League of Arab States, the Organization of the Islamic Conference and the Intergovernmental Authority on Development to redouble their support for the Djibouti initiative. We fully support the United Nations position as articulated by Ambassador Mohamed Sahnoun at the opening ceremony. The United Nations position rejects parallel initiatives and building blocs, and supports Djibouti's inclusive and civil society-based approach to Somalia's reconstruction.

Finally, we call upon all sections of the Somali people to seize this rare opportunity offered by their brothers and sisters in Djibouti and urge them to translate this promise into reality and to prepare for the upcoming all-inclusive National Peace Conference. Let us join this historic march and take part in this campaign of fund-raising and social mobilization in order to meet the challenges of the new millennium.

We, the participants, express our heartfelt gratitude to the people of Djibouti, and its Government and President for their genuine concern for our fate. We are moved by their hospitality and selflessness.

The participants recommend that:

(a) The national conference be open to all Somalis who want to bring peace, progress and speedy reconstruction to our land;

(b) There is a need to consider an extension of the time-frame of the conference so as to allow Somalis to fully prepare for the conference, and to do the necessary groundwork for the general conference.

United Nations S/2000/288

Security Council

Distr.: General
5 April 2000

Original: English

Letter dated 5 April 2000 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

I have the honour to transmit a letter to you dated 28 March 2000 from Ismaïl Omar Guelleh, President of Djibouti, concerning the Sudan (see annex).

I would appreciate if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Roble **Olhaye**
Ambassador
Permanent Representative

00-38017 (E) 050400 060400

Annex

[Original: French]

Letter dated 28 March 2000 from the President of Djibouti to the President of the Security Council

I have the honour to inform you that we have learned that the Security Council will take up the question of peace in the Sudan this April.

While we fully recognize and appreciate the primary responsibility of the Security Council for the maintenance of peace and security at the international level and its involvement in the pacific settlement of conflicts, as current President of the Intergovernmental Authority on Development (IGAD), the main forum for peace efforts in the Sudan, we should like to emphasize that taking up the question in the Security Council might have a negative impact on the peace process currently under way under the auspices of IGAD.

As you know, IGAD has established a permanent secretariat, which has already organized two series of talks since its creation early this year. Preparations are also under way for the convening of a third series of talks in the very near future.

It is our profound hope that the Security Council, in accordance with Article 52 (on regional arrangements) of Chapter VIII of the Charter of the United Nations, will do its utmost to give a chance to the laudable efforts undertaken by IGAD for the resolution of the conflict in the Sudan.

(*Signed*) Ismaïl Omar **Guelleh**

United Nations S/2000/289

Security Council

Distr.: General
5 April 2000

Original: English

Letter dated 5 April 2000 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

Upon instructions of my Government I should like to present the views of the Croatian Government regarding the issue of Prevlaka.

The Presidents of Croatia and the Federal Republic of Yugoslavia laid down the legal framework for negotiations on Prevlaka and entrusted the two delegations with a specific mandate by agreements reached on 30 September 1992 (S/24476) and 20 October 1992 (A/47/572-S/24704). Under these agreements, the two States undertook an obligation to resolve the issue of "the overall security of Boka Kotorska and Dubrovnik" and agreed that "Joint customs controls will be established on the border" in the area of Prevlaka. Furthermore, they "reaffirmed the commitments ... on the inviolability of existing borders, other than through changes reached by peaceful agreement" and agreed that "particular attention will be given to normalizing traffic and economic links".

On 20 October 1992, senior officials of the Federal Republic of Yugoslavia verified the existing border between the two States in the Prevlaka range and agreed to establish joint customs controls on this border. More precisely, the then Prime Minister of the Federal Republic of Yugoslavia, Milan Panić, and the Joint Chief of Staff of the Yugoslav Army, Života Panić, signed a map of Prevlaka, which had been used as a reference map for negotiations. This reference map, the "Basic State Map" issued by the Federal Geodetic Administration of the Socialist Federal Republic of Yugoslavia in 1970 (1:5 000, Titograd/Beograd), contained a clearly defined existing border between the two States. The confirmation of the authenticity of this map and signatures by the United Nations officials who were involved in negotiations at the time can avert the Federal Republic of Yugoslavia from its ongoing insistence on framing the Prevlaka issue as a territorial dispute in bilateral negotiations. This would jump start the negotiations in the framework agreed upon in 1992. I would therefore like to reiterate my request that the United Nations make inquiries with its former officials and confirm the authenticity of the aforementioned map and signatures.

The original framework for bilateral negotiations was subsequently strengthened by the Agreement on Normalization of Relations between Croatia and the Federal Republic of Yugoslavia (S/1996/744). By virtue of this agreement, the parties recognized "each other as independent, sovereign and equal States within their international frontiers" (article 1), and agreed to settle the Prevlaka issue "in the spirit of the Charter of the United Nations and good-neighbourliness" and "to

00-38023 (E) 060400

respect the existing security regime established during United Nations monitoring" (article 4), until an agreement on permanent security solution was reached.

Therefore, the legal framework and mandate of the two delegations is clear: The delegations are mandated to resolve the overall security of Boka Kotorska and Dubrovnik on the basis of the principles of the inviolability of the existing border and good-neighbourliness, as well as on the Charter of the United Nations. The normalization of traffic over the existing border, for which purpose the joint customs controls should have been established, and the strengthening of economic links add specific obligations to the legal framework which demonstrate the spirit and the final aim of the negotiations.

Hitherto, the negotiations have proven that the Federal Republic of Yugoslavia has accepted only declaratively the agreed framework for negotiations and the Croatian international borders. By persisting with the artificially created territorial dispute over Prevlaka, it continues its disregard for Croatian borders and thereby stonewalls the negotiations. Such an attitude is unacceptable to my Government. It runs against the commitments of the Federal Republic of Yugoslavia to respect Croatia's borders and the legal framework in which the issue of Prevlaka should be negotiated.

Over the years, Croatia, like a number of other actors in the international arena on other issues, has tried to find a peaceful solution for the security issue of Prevlaka with the Belgrade regime. Our efforts and appeals to the Yugoslav side to facilitate negotiations by increasing confidence among the local populations have invariably been rejected by the federal authorities of the Federal Republic of Yugoslavia. Unfortunately, this rejection was coupled with the exclusion of representatives of the Montenegrin authorities, who were supportive of reducing tensions and negotiating the issues as agreed upon, from the Yugoslav delegation. Their withdrawal testifies and adds to the implausibility of continuing negotiations within the framework that was altered unilaterally by the Federal Republic of Yugoslavia.

In the same vein, the Federal Republic of Yugoslavia's rejection of the confidence-building measures (S/2000/268), proposed by the Secretary-General in his latest report (S/1999/1302), has not come as a surprise to my Government. The Federal Republic of Yugoslavia has continuously avoided implementing the above-mentioned agreements from 1992, particularly those parts that relate to normalizing traffic and establishing joint customs controls at the two border crossing points on the existing border. The proposal of the Secretary-General to allow, at least, a limited civilian access to the so-called Blue Zone serves as a reminder of the existing mutually assumed legal obligations of Croatia and the Federal Republic of Yugoslavia, and is certainly welcomed by my Government.

The assertion by the Federal Republic of Yugoslavia that "Croatian fishermen did not fish in the waters of Boka Kotorska Bay prior to the accession to independence by the Republic of Croatia" (S/2000/268) is utterly false. They have always fished in Boka Kotorska Bay, including during the time of the former Socialist Federal Republic of Yugoslavia, when a part of Boka Kotorska Bay was under jurisdiction of the Port Authority of Dubrovnik, Cavtat Port Office. Likewise, the landowners have cultivated their land, and those parts previously expropriated shall be returned to their owners upon the completion of relevant proceedings conducted by competent Croatian authorities. These proceedings are currently under

way. It is Croatia's view that the Secretary-General's recognition of these legitimate interests of the local population may only contribute to the stability and normalization of the area, which is the primary aim of bilateral negotiations.

Croatia remains convinced that the future lies in the normalization of relations and restoration of civilian use of the Prevlaka area on both the Croatian and Yugoslav/Montenegrin side of the international border. Together with our neighbours, who supported the opening of border crossing points on the existing border and thereafter have been unrepresented in the delegation of the Federal Republic of Yugoslavia, we cherish a vision of a stable, secure, cooperative and prosperous future for the Dubrovnik and Boka Kotorska areas. The vision of restored olive groves, fishermen's boats, snorkels and a tourist paradise is the future we want to shape with our neighbours.

I should like to request your kind assistance in distributing the present letter as a document of the Security Council.

(*Signed*) Ivan **Šimonović**
Permanent Representative

United Nations S/2000/290

Security Council

Distr.: General
6 April 2000

Original: English

Letter dated 5 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the letter of Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, relative to the perfidious and disgraceful arrest of Momcilo Krajisnik, one of the most prominent Serbian leaders in Bosnia and Herzegovina and a former member of the collective Presidency of this country, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-38102 (E) 070400

Annex to the letter dated 5 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

The Yugoslav Government and public have condemned most strongly the perfidious and disgraceful arrest of Momcilo Krajisnik, one of the most prominent leaders of the Serbian people in Bosnia and Herzegovina, carried out in a most brutal way in the night of 3 April 2000 by SFOR at the orders of the North Atlantic Treaty Organization (NATO). This arrest, carried out in a terrorist manner and Gestapo-style by using explosives to break into the house, and by intimidating and tying up the children, is just the most recent and drastic instance in the series of the criminal, immoral and politically motivated NATO acts under the guise of the Hague Tribunal, aimed at frightening and enslaving the Serbian people.

Momcilo Krajisnik was not only Speaker of the Parliament of Republika Srpska elected at a democratic election by the will of the people, the outcome of which was confirmed also by the Organization for Security and Cooperation in Europe (OSCE), but was also a member of the collective Presidency of Bosnia and Herzegovina and the highest representative of Republika Srpska at the negotiations in Dayton. This brazen criminal act is all the more absurd as Momcilo Krajisnik never held an executive office except that, after the Dayton-Paris Agreement, he was elected a member of the Presidency of Bosnia and Herzegovina.

This insolent act has confirmed what the Government of the Federal Republic of Yugoslavia has pointed out ever since the establishment of the Tribunal — that this ad hoc body, in outright contravention of the principle of international criminal and humanitarian law, is not an institution of law and justice but a political creation in the function of the commission of genocide against the Serbian people. It does not act according to law and international law but according to the *diktat* of the United States Administration, the aim of which is to impose hegemony and thought monopoly.

If indeed the Tribunal acted on the basis of justice and law, it would have, first and foremost, called to account the leaders of NATO and those who are responsible for the genocidal aggression against the Federal Republic of Yugoslavia, carried out by way of the most flagrant violation of the Charter of the United Nations, international law, national laws of the Member States, as well as the NATO founding act. If it was a forum of justice, it would have long indicted those leaders who ordered and managed the aggression against the Federal Republic of Yugoslavia, who ordered a ruthless bombardment of a sovereign country and an entire people without a precedent in the history of civilization, who order the killing of thousands of innocent people, one third of whom were children and over four fifths civilians, the killing of patients in hospitals, destruction of hundreds of schools, a huge number of hospitals, maternity wards, refugee camps, systems of heating and transmission of electric power, television and radio stations, refineries, roads, bridges etc.

In the situation when genocide against the Serbian people and other non-Albanian population in the Serbian province of Kosovo and Metohija takes place before the eyes of the international public, the Tribunal has not taken a single step in order to try to put an end to that protracted crime. The absence of prosecution and arrest of persons responsible for the genocide against the Serbs in Croatia during

operations "Flash" and "Storm", as well as in Bosnia and Herzegovina at the time of civil war, is deliberate encouragement to new crimes against Serbs since it demonstrates that they can be carried out with impunity. Even by the self-same criminals that acquired the criminal experience in Krajina and other parts of the former Yugoslavia.

World renowned legal experts have passed their assessment that the Tribunal is not based on the Charter of the United Nations since there exists no legal basis for establishing a judicial organ as an auxiliary body of the Security Council. All international courts are set up exclusively by agreement. That the Tribunal was set up for political goals, for manipulating the international public becomes most glaringly evident if the rules of procedure of the Tribunal and the Permanent International Criminal Court are compared, particularly with respect to the position of the Prosecutor. The rules applied by the Tribunal in its procedure do not exist in any modern legal system. No legal system recognizes the so-called "secret indictments". The prosecution policy pursued by the Prosecutor of the Tribunal shows that the Tribunal has been politically instrumentalized by the Administration of the United States and the countries of NATO. More than two thirds of the arrestees and indictees are Serbs, including the highest ranking political and military officials of Republika Srpska, who have been charged even with the most serious crimes and who alone are being arrested in a brutal way. The work of the Prosecutor and the Tribunal thus far has demonstrated in a clear way that the United States creators of the Tribunal have sought to impose at all costs the impression of the responsibility of the Serbs for the civil war in the former Yugoslavia and to conceal in that way their own responsibility for atrocities. The Tribunal is a mechanism for fabricating a justification for the aggression against the Federal Republic of Yugoslavia and the genocide against the Serbian people.

The Tribunal shows no legal, political or moral responsibility for its work. This is reflected, *inter alia*, in the killing of Serbs during arrests (Simo Drljaca, Dragan Gakovic) and an inhumane attitude towards the arrestees (the tragic loss of life of Slavko Dokmanovic and Milan Kovacevic in the prison at The Hague).

The Federal Republic of Yugoslavia, as a party signatory and a guarantor of the Dayton-Paris Agreement, stresses that these activities of the Tribunal represent a drastic violation of the letter and substance of the Agreement, the Charter of the United Nations, the Universal Declaration of Human Rights and international law in general, whereby peace and security not only in Bosnia and Herzegovina, but also in the entire region, is brought into question. Proceeding from the aforementioned, the Federal Republic of Yugoslavia calls on the Security Council to abolish the Hague Tribunal without delay as a creation without a legal grounding. The records kept by that quasi-judicial institution should be forwarded to regular courts of the States Members of the United Nations for the purpose of being acted upon in accordance with their internal laws, each and every Member State without exception providing for severe punishment of war crimes.

Specifically, the Federal Republic of Yugoslavia requests that Momcilo Krajisnik and all other persons indicted and arrested without a legal grounding be released immediately.

(*Signed*) Zivadin **Jovanovic**

United Nations S/2000/291

Security Council

Distr.: General
6 April 2000
English
Original: Arabic

Identical letters dated 4 April 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 3 April 2000 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing United States and British aggression against Iraq, as represented by the maintenance of the unlawful no-flight zones, and to the fact that United States and British aircraft carried out 331 sorties over the towns and villages of Iraq in the period from 22 to 31 March 2000, 139 of them from Saudi Arabia, 70 from Kuwait and 122 from Turkey. The Minister further urges the Security Council to intervene with a view to halting these acts of aggression.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-38108 (E) 060400 060400

Annex

Identical letters dated 3 April 2000 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq and carried out 331 sorties in the period from 22 to 31 March 2000. One hundred and thirty-nine of these sorties were from Saudi Arabia, 70 were from Kuwait and 122 were from Turkey, as shown hereunder.

1. In the northern region 122 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1030 hours on 26 March 2000, United States and British F-14, F-15, F-16 and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Aqrah, Amadiyah, Irbil, Rawanduz, Tall Afar, Mosul and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

(b) At 1005 hours on 27 March 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 24 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Mosul, Dohuk, Tall Afar, Irbil, Aqrah, Amadiyah, Ayn Zalah, Sinjar, Rawanduz and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1310 hours, drove them off.

(c) At 1005 hours on 28 March 2000, United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Tall Afar, Mosul and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

(d) At 1020 hours on 29 March 2000, United States and British F-14, F-15, F-16 and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Tall Afar, Mosul, Aqrah, Rawanduz, Sinjar and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1320 hours, drove them off.

(e) At 1020 hours on 30 March 2000, United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Tall Afar, Mosul, Aqrah, Rawanduz, Ayn

Zalah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1320 hours, drove them off.

(f) At 1035 hours on 31 March 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS command and control aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Tall Afar, Mosul, Ayn Zalah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

2. In the southern region 209 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 0710 hours on 22 March 2000, United States and British F-14, F-15 and F-16 aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out eight missions, were supported by an AWACS command and control aircraft operating inside Saudi airspace and overflew the Nasiriyah West, Salman, Ashbajah, Taqtaqanah South and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 0900 hours, drove them off.

(b) At 1455 hours on 25 March 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 28 missions, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 16 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Samawah, Jalibah, Busayyah, Qurnah, Basrah, Amarah and Rifa`i areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1600 hours, drove them off.

(c) At 0955 hours on 26 March 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions, 28 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Artawi, Nasiriyah, Basrah, Amarah, Najaf, Qurnah, Lasaf, Salman, Ashbajah, Afak and Diwaniyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1255 hours, drove them off.

(d) At 1030 hours on 27 March 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 46 missions, 26 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 20 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Nasiriyah, Basrah, Qurnah, Qal`at Sukkar, Salman, Shinafiyah, Shatrah, Diwaniyah, Amarah, Rumaythah, Qal`at Salih, Rifa`i, Busayyah and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1725 hours, drove them off.

(e) At 1100 hours on 28 March 2000, United States and British F-14, F-15 and F-16 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 37 missions, 31 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Nasiriyah, Basrah, Salman, Shatrah, Rifa`i, Nukhayb and Shinafiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1230 hours, drove them off.

(f) At 0750 hours on 29 March 2000, United States and British F-14, F-15, F-16 and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 30 missions, 22 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Nasiriyah, Basrah, Salman, Amarah, Nukhayb, Najaf, Ashbajah, Diwaniyah and Shinafiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 0955 hours, drove them off.

(g) At 1100 hours on 30 March 2000, United States and British F-14 and F-15 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 24 missions, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 12 from Kuwaiti territory with the support of an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Basrah, Ashbajah, Artawi, Jalibah, Shatrah, Rumaythah, Lasaf and Rifa`i areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1200 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom against Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials defending the measures being taken to enforce the no-flight zones.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these countries in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear international responsibility for actions that are deleterious to the people of Iraq.

The Government of Iraq, condemning these acts of aggression against Iraqi civilian targets and installations, urges the Security Council to perform its assigned duties with respect to the maintenance of international peace and security by intervening with the governments of the countries in question with a view to

inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent and sovereign State.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the Security Council the organizational plan for the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) called for in paragraph 6 of Council resolution 1284 (1999) of 17 December 1999. The plan has been prepared, as the Council requested, by the Executive Chairman of UNMOVIC, in consultation with the Secretary-General. The plan is submitted to the Council, through the Secretary-General, for its approval.

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Organizational plan for the United Nations Monitoring, Verification and Inspection Commission prepared by the Executive Chairman

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I. Introduction

1. In paragraph 6 of its resolution 1284 (1999) of 17 December 1999, the Security Council requested the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, an organizational plan for UNMOVIC. The present plan is submitted in response to that request.

2. The resolution provides that the plan is to cover:

(a) The Commission's structure, staffing requirements, management guidelines and recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues (S/1999/356, annex I), and recognizing in particular the need for an effective, cooperative management structure for the new organization;

(b) Staffing the Commission with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including, as the Executive Chairman deems necessary, from international arms control organizations, and the provision of high-quality technical and cultural training.

3. The present plan aims, first of all, to secure for UNMOVIC the capacity, staffing, and management that will enable it to fulfil the tasks mandated by the Security Council. At the same time, it endeavours to keep the Commission "lean", in the sense of keeping the staffing level no higher than is strictly necessary for the performance of its responsibilities and as experience in the field dictates. The structure of UNMOVIC is shown in the annex and is described in section III. The plan incorporates guidelines on management, such as lines of authority, arrangements for cooperation and consultation, need for staff at the managerial level and other senior staff and provisions concerning recruitment and training. In accordance with resolution 1284 (1999), the organizational plan envisages that the Executive Chairman will be provided with professional advice and guidance by the College of Commissioners. In the day-to-day work he will be assisted by his own office, comprising several officials at the senior level. The majority of staff will be placed in four divisions and an administrative service, each headed by a senior official. The four divisions will be for technical support and training, planning and operations (including the Baghdad Ongoing Monitoring, Verification and Inspection Centre), analysis and assessment and information. The staff will be paid by the United Nations and serve under the appropriate United Nations conditions of employment. Rosters will be prepared with the names of persons with special skills and expertise to supplement UNMOVIC staff on inspection teams as required. Such persons will have gone through the training programmes established within UNMOVIC before being included in the rosters. When called upon to serve, they will be given United Nations contracts. Cost-free experts may be engaged only in special circumstances and with the express approval of the Executive Chairman. Reviews of the organizational structure and staffing will naturally have to be undertaken in the light of developments and future needs. The following paragraphs describe how the plan meets the specific requirements cited in paragraph 2 above.

A. Cooperative management structure

4. The plan seeks to bring about an effective cooperative management structure. For the fulfilment of the tasks assigned to the Commission, it is indispensable that the different parts of the organization complement each other and cooperate. While this close cooperation calls for openness and discussion within the organization, at the same time the need for strict confidentiality, for example about sites, objects and timing of inspections and about data underlying inspections, will often require that certain information be shared only on a "need-to-know" basis. Nevertheless, a weekly meeting, led by the Executive Chairman and comprising senior and key staff, is envisaged as an important means of ensuring cooperative management and a sense of unity of purpose, mutual assistance and the sharing of as much information as is advisable considering the nature of the various activities undertaken. A similar approach will be followed within each of the divisions so as to strengthen the effectiveness of the organization and to achieve synergy through close cooperation between units and staff. The heads of divisions will have a duty to ensure cohesion within their divisions and

cooperation with other divisions and the Administrative Service.

B. Staffing

5. While the United Nations Special Commission (UNSCOM) relied mainly on staff seconded from and paid by national Governments, the present plan envisages that most staff will be United Nations employees subject to Article 100 of the Charter, which requires that they shall neither seek nor receive instructions from any Government and that Member States shall not seek to influence them in the discharge of their responsibilities. The staff will be required to respect strict rules of confidentiality. This will contribute to giving "a clear United Nations identity" to the Commission, to use the language of the report of the panel on disarmament and current and future ongoing monitoring and verification issues (see S/1999/356, annex I, para. 51). It is foreseen that the Division of Technical Support and Training will fulfil the important task of providing technical and cultural training of inspection personnel.

6. A special question concerning staff relates to the transition from UNSCOM to UNMOVIC. About two thirds of the professional staff of UNSCOM have left and some more may still do so. While there will be no automatic transition to United Nations employment contracts for those who are on government contracts and who are still on board, they will be free to apply for the new United Nations positions in competition with other candidates. Previous work will have given them valuable experience and knowledge that could usefully be passed on to new UNMOVIC staff who come on board. A combination of renewal and continuity would minimize the loss of momentum and knowledge that has inevitably occurred during the long absence of inspection and monitoring.

7. Staff recruitment will take place with the aim of securing the highest standards of efficiency, competence and integrity, in accordance with Article 101 of the Charter, and staff, including the staff of inspection teams, will be drawn from the broadest possible geographical base. In recruiting UNMOVIC staff, the gender balance will also be a consideration. In line with paragraph 6 of resolution 1284 (1999), contacts have been established with the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons with a view to cooperation.

8. While the organizational plan is based on the working assumption that Iraq will accept resolution 1284 (1999) and the reinforced system of ongoing monitoring and verification, it may be neither practical nor prudent to move to immediate full recruitment; rather, the adoption of a two-step approach, beginning with prompt action to fill the core needs of staff, to be followed by full recruitment to make UNMOVIC fully operational, might be preferable.

9. As noted in paragraph 3 above, the present plan seeks, first of all, to enable UNMOVIC to fulfil the mandate given to it by the Security Council. For a proper understanding of the plan, therefore, it is necessary to describe the responsibilities conferred upon UNMOVIC in resolution 1284 (1999). Given that the central task of UNMOVIC, like that of UNSCOM before it, is to verify that Iraq complies with the obligations set out by the Council, those obligations, too, are relevant for understanding the Commission's responsibilities and the demands that their fulfilment place on the organization. Accordingly, the following section briefly sets out the responsibilities of UNMOVIC and the obligations of Iraq.

II. Responsibilities of the Commission and obligations of Iraq

A. Subsidiary organ of the Security Council

10. In paragraph 1 of its resolution 1284 (1999), the Security Council established UNMOVIC as a subsidiary body of the Council that replaced the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991). Such a subsidiary body is created to carry out the collective will of the Council as expressed in resolutions and other forms of Council decisions. Conversely, the subsidiary body may turn to the Council for instructions, guidance and support in its mission. Thus, while they are accountable to the Council for the performance of UNMOVIC and initially report to it every three months, the Executive Chairman of the Commission may bring urgent matters pertaining to the Commission's mandate to the attention of the Council and ask for its guidance and support, when he deems it to be required. This is

without prejudice to the possibility of seeking advice and guidance from the College of Commissioners.

11. The specific responsibilities set out by the Security Council for UNSCOM — and taken over by UNMOVIC as its successor — are first defined in resolution 687 (1991), which was adopted on 3 April 1991 and formally accepted by Iraq in conjunction with the ceasefire. They are further defined in other related resolutions, in particular resolutions707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and 1284 (1999). The Council, in its resolution 715 (1991), approved the detailed plans for ongoing monitoring and verification (S/22871/Rev.1 and S/22872/Rev.1 and Corr.1), which are now, under resolution 1284 (1999), to be implemented by UNMOVIC and IAEA. In its resolution 1051 (1996), the Council approved a similarly detailed mechanism for monitoring sales or supplies to Iraq of dual-use or proscribed items. In accordance with paragraph 8 of resolution 1284 (1999), this mechanism is now to be operated by a joint unit established by UNMOVIC and IAEA. Steps are being taken to achieve this.

B. Verification of compliance by Iraq with its obligations

12. Paragraph 2 of resolution 1284 (1999) provides that UNMOVIC will undertake the responsibilities mandated to UNSCOM by the Council with respect to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions. UNMOVIC thus has the responsibility to verify Iraq's compliance, with its obligations to:

(a) Unconditionally accept the destruction, removal or rendering harmless, under international supervision, of all chemical and biological weapons and all stocks of agents, all related subsystems and components and all research, development, support and manufacturing facilities related thereto, and all ballistic missiles with a range greater than 150 kilometres and related major parts and repair and production facilities;

(b) Declare all of its holdings of the foregoing items, agree to immediate on-site inspection of its biological, chemical and missile capabilities and accept the destruction, removal or rendering harmless of those items;

(c) Unconditionally undertake not to use, develop, construct or acquire any of the items referred to above.

13. The responsibilities of UNMOVIC, in connection with paragraphs 8 and 9 of resolution 687 (1991), are generally referred to, in resolution 1284 (1999), as "disarmament tasks", while the responsibilities under paragraph 10 of resolution 687 (1991) relate to implementing the plan for ongoing monitoring and verification. The report of the panel on disarmament and current and future ongoing monitoring and verification issues (S/1999/356, annex I, para. 61) recommended that those two tasks be merged and that a reinforced system of ongoing monitoring and verification capable of addressing, through integration, remaining unresolved disarmament issues be carried out. The organization and management of UNMOVIC must be tailored to implement this system — preparing it, directing it and reporting on it.

C. Reinforced system of ongoing monitoring, verification and inspection

14. In implementing Security Council resolution 1284 (1999) and other relevant resolutions — in particular resolution 715 (1991) and the plan for ongoing monitoring and verification approved thereby — UNMOVIC must be equipped, for example, to verify Iraq's declarations regarding its proscribed programmes, its periodic reporting on sites subject to monitoring and its notifications under the export/import regime of dual-use items both before and after importation. It must designate sites for inspection and undertake on-site inspections, including no-notice inspections, throughout Iraq. It must be able to conduct interviews with officials and other persons under the authority of the Government of Iraq and analyse documentation provided by or found in Iraq. It must be prepared to take samples to be analysed inside or outside Iraq. It must be equipped to take photographs, both from the ground and in the air. It must be ready to conduct fixed-wing and helicopter flights throughout Iraq in its own aircraft for all relevant purposes, including aerial surveillance.

15. UNMOVIC is required, under paragraph 3 of resolution 1284 (1999), to furnish assistance and cooperation to IAEA in the performance by the latter of its responsibilities under the same paragraph. Furthermore, as mentioned in paragraph 11 above, UNMOVIC and IAEA will jointly operate the

export/import mechanism called for in paragraph 8 of resolution 1284 (1999). The Executive Chairman of UNMOVIC, in consultation with the Director General of IAEA, is to resume revision of the lists to which the monitoring regime applies.

16. UNMOVIC is to have all the rights, facilities, privileges and immunities previously available to UNSCOM under resolution 687 (1991), related resolutions and other decisions of the Security Council, the exchange of letters of May 1991 between the United Nations and Iraq on the status, privileges and immunities of UNSCOM and the plan for ongoing monitoring and verification. Iraq's full respect for those rights and the fulfilment of its own obligations are evidently decisive, not only to allow UNMOVIC to carry out its duties in Iraq, but also for its Executive Chairman to report, in accordance with paragraph 33 of resolution 1284 (1999), that Iraq has cooperated in all respects. In this regard the Council has placed particular stress on the right of UNMOVIC to have immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport. Together with freedom of movement into, out of and throughout Iraq, by such means as UNMOVIC may deem appropriate, the right of free and prompt access is essential to the discharge by UNMOVIC of its responsibilities. The credibility and effectiveness of all inspection and monitoring increase decisively with decreases in lead times.

III. Outline of the organizational structure of the Commission

17. In addition to the College of Commissioners and the Executive Chairman and his support office, UNMOVIC will have the four main divisions and an administrative service. Each division and service will be headed by a senior official. They will consist of functional units led by senior staff. When the Executive Chairman plans to be absent, he will appoint a senior official to act in his place during his absence. If the head of a division or service is to be absent, the Executive Chairman will designate one of the senior staff of that division or service to act in his or her place.

A. College of Commissioners

18. A College of Commissioners for UNMOVIC has been appointed by the Secretary-General (S/2000/207), as required by resolution 1284 (1999). The Commissioners, chaired by the Executive Chairman, will meet regularly to review the implementation of resolution 1284 (1999) and other relevant resolutions, and to provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Security Council through the Secretary-General. As such reports are initially required every three months, in accordance with paragraph 12 of resolution 1284 (1999), meetings with the College of Commissioners will be held at least once every three months. It is proposed that the first meeting of the College be held towards the end of May 2000. A senior official will be appointed as Secretary of the College to ensure that the Commissioners are kept informed of the work of UNMOVIC, supplied with proper documentation and provided with a draft agenda before each meeting. The Secretary, who will serve in the Office of the Executive Chairman, will be responsible for preparing summaries of the discussions of the College and for fully recording any conclusions resulting from the sessions.

B. Executive Chairman

19. The Executive Chairman is responsible to the Security Council for all of the Commission's activities. He will thus exercise authority and overall control of its operational and administrative activities and appoint the staff. The functions of the Executive Chairman will include chairing the College of Commissioners and seeking its advice and guidance; formulating policies and guidelines for inspection and monitoring operations; preparing reports to the Security Council as required under resolution 1284 (1999); and briefing the Security Council on all tasks entrusted to UNMOVIC under section C of resolution 687 (1991) and subsequent relevant resolutions, in particular resolution 1284 (1999), especially in providing the Council with assessments relating to monitoring and verification activities and to the status of verification of remaining disarmament issues.

C. Office of the Executive Chairman

20. The Executive Chairman and senior members of his office as instructed by him will maintain the necessary contacts with the Security Council, the Secretary-General, relevant United Nations departments and offices and the members of the College of Commissioners, and will also maintain high-level contacts with Governments, including the Government of Iraq. As noted in paragraph 4 above, weekly meetings between the Executive Chairman and key and senior staff from his office, the four divisions and the Administrative Service will contribute to the cooperative management structure.

21. The Executive Assistant will assist the Executive Chairman in carrying out his responsibilities relating to substantive, organizational, administrative, personnel and budgetary matters.

22. The External Relations Officer will assist the Executive Chairman in the Commission's relations with Member States and their permanent missions and will handle liaison with organizations in the United Nations system and international arms control organizations.

23. The Activity Evaluation Officer will be responsible for reviewing the functioning of UNMOVIC as a whole, alerting the Chairman to any weaknesses identified and advising him on possible measures to improve the Commission's performance in the interests of effective management. The Activity Evaluation Officer, in cooperation with the Administrative Service, will also facilitate the internal audit that is to be performed by a unit of the United Nations Secretariat.

24. The Legal Adviser will provide advice to the Executive Chairman and all the units of UNMOVIC on any legal issues arising in the performance of their functions. The Legal Adviser will also provide advice on all issues relating to the facilities, privileges and immunities of UNMOVIC and its personnel arising under the relevant agreements and arrangements, and will, where necessary, maintain liaison with the Office of Legal Affairs of the Secretariat on matters such as contracts and procurement. The Legal Adviser will also assist, as required, in the drafting of correspondence and reports, particularly where they touch on legal issues.

25. The Public Information Officer will manage the Commission's public and media relations. He or she will follow the media and ensure that the Chairman and UNMOVIC staff are informed about matters of interest, prepare press releases at the request of the Executive Chairman and represent UNMOVIC or arrange for its representation, as appropriate. The Public Information Officer will ensure that there will be a single authoritative point of contact with the media — the Executive Chairman himself or an officer authorized by him to speak on his behalf or on specific subjects or items.

D. Division of Planning and Operations

26. The Division of Planning and Operations will be responsible for planning, directing and performing all monitoring, verification and inspection activities in the implementation of the reinforced system of ongoing monitoring and verification and the verification of dual-use items imported into Iraq. It will have four functional units, namely, biological weapons, chemical weapons, ballistic missiles and multidisciplinary inspections and operations. As ongoing monitoring and verification forms a principal component of the Commission's work, a Baghdad Ongoing Monitoring, Verification and Inspection Centre, with regional offices elsewhere in Iraq, if required (see S/1999/356, annex I, para. 42 (g)), will constitute a vital part of the Division. The Division will be headed by a senior official who, together with the senior staff of the Division, will undertake the overall planning of monitoring, verification and inspection; propose the sites, objectives and timing of inspections and monitoring; decide upon the composition of inspection teams in the light of the objectives of each mission; and propose to the Executive Chairman the appointment of each chief inspector for field duty.

27. Applying the reinforced system of ongoing monitoring and verification, the staff of the weapons-specific functional units, under the authority of the head of the Division, will endeavour to attain full understanding and clarity regarding the remaining capacity of Iraq in the areas of those weapons, to neutralize this capacity as prescribed by the Security Council and to verify that no new prohibited capacity arises. The staff, in cooperation with the relevant staff in the Division of Analysis and Assessment, will be responsible for formulating plans for implementing the

monitoring system in Iraq in the relevant weapons areas, including identification of the scope of monitoring (sites, facilities, items, materials and activities to be monitored). The staff will prepare comprehensive operational plans and timetables for inspections and monitoring operations under the direction of the head of the Division. In cooperation with other divisions of UNMOVIC, they will propose new inspection and monitoring operations and other field activities. Staff of this Division will perform inspections in the field, rotating with staff in Iraq to serve in the field as chief inspectors or in other capacities.

28. Under the authority of the head of the Division, the functional unit for multidisciplinary inspections and operations will be responsible for verifying information related to identified sales or supplies to Iraq of proscribed items, monitoring the end-use of dual-use items imported by Iraq and conducting inspections for identifying possible undeclared imported notifiable items. It will also act as the focal point for practical cooperation with and assistance to IAEA in carrying out inspections and monitoring operations, and it will plan, coordinate and execute joint on-site inspections and monitoring operations with IAEA. In addition, and in cooperation with other staff of the Division, it will plan and coordinate multidisciplinary inspections of sites related to multiple capabilities, including additional sites.

29. The Baghdad Ongoing Monitoring, Verification and Inspection Centre will provide all the support offices, logistics, communications, transport and so on for inspectors of UNMOVIC and IAEA in Iraq. It will also provide routine analytical services to the teams of inspectors, through the analytical laboratory operating on the premises, and furnish remote monitoring capabilities. The Centre will be headed by a senior official with a deputy. The head of the Baghdad Centre will report to the head of the Division of Planning and Operations on all operational matters. In especially important matters, he may report directly to the Executive Chairman. Authority will be delegated to the Centre to coordinate and perform routine activities, reporting, as appropriate, to the Division of Planning and Operations at Headquarters. Any regional offices in Iraq will, on routine matters, report to the Baghdad Centre but will, on important matters, report directly to the head of the Division.

30. The resident inspectors of the Baghdad Centre will perform monitoring in implementation of the reinforced system of ongoing monitoring and verification. They will do so with advice by and subject to the overall coordinating responsibilities of the head of the Centre and on the basis of general planning provisions and guidelines issued by the head of the Division of Planning and Operations at Headquarters. Daily written reports of the monitoring teams from the field to Headquarters will be channelled through the head of the Baghdad Centre. Visiting inspection teams will operate on a similar basis. While in Iraq they will be advised by and be subject to the overall coordinating responsibilities of the head of the Baghdad Centre, but will perform inspections on the basis of specific plans and instructions issued by the head of the Division of Planning and Operations. The latter will provide specific additional instructions when needed, after consultation and as appropriate, with the Executive Chairman, and the head of the Centre will be kept fully informed. Resident inspectors will at intervals rotate back to New York to work at UNMOVIC headquarters and will be replaced in the field by Headquarters staff. In conducting monitoring and inspection operations, effectiveness should be the primary consideration. A rigorous and comprehensive approach is to be adopted to planning and in-field activities. Mandated tasks will be carried out in a correct, technically competent and thorough manner. Denial of access or other lack of cooperation will be immediately reported.

E. Division of Analysis and Assessment

31. The Division of Analysis and Assessment will be responsible for analysing and assessing information available to UNMOVIC, in particular the data resulting from the organization's own activities in the field, but also from other sources, such as information about export/import activities, overhead imagery and outside information. It will make extensive use of the central database. The Division will be headed by a senior official who will report to the Executive Chairman.

32. The Division will have four functional units for analysis and assessment, namely, biological weapons, chemical weapons, missiles and multidisciplinary inspections. These units are counterparts to units within the Division of Planning and Operations, with which they will cooperate closely, *inter alia*, to clarify

weaponization and disarmament issues and questions relating to Iraq's production capabilities and acquisitions, to identify additional sites for inspection and to assess the effectiveness of inspection and Iraq's compliance. New information from the field will be provided by staff of the Division of Planning and Operations. In turn, the latter will be provided with analyses and assessments of the information it has generated as well as of other relevant information for its further planning and operations.

33. The head of the Division, in cooperation with the head of the Division of Planning and Operations and assisted by relevant senior staff from the two divisions, will be responsible for providing to the Executive Chairman a draft quarterly report on UNMOVIC activities for his consideration and for subsequent submission by him to the College of Commissioners. The Division of Analysis and Assessment will also be responsible for compiling, with the cooperation of the Division of Information and the Division of Planning and Operations, a list of remaining disarmament issues from which key issues can be identified.

F. Division of Information

34. The Division of Information is the main repository of information that will form the basis for the reinforced system of ongoing monitoring and verification. The Division will continuously integrate new information received from inspections and other sources with relevant existing information, operate the UNMOVIC database and be in charge of the archives.

35. The Division will be headed by a senior official and will comprise functional units and an office for outside information sources. The export/import joint unit foreseen in paragraph 8 of resolution 1284 (1999) will collect relevant information for use in the Division of Analysis and Assessment and the Division of Planning and Operations. The information will provide the basis for monitoring and verification activities regarding dual-use goods and proscribed items. The joint unit will also be responsible for proposing the revision and updating the lists of items and technology to which the mechanism applies.

36. A second functional unit will gather and process overhead imagery, as requested by the Division of Planning and Operations and the Division of Analysis and Assessment. It will also handle imagery that becomes available through inspections and other sources, including Governments, and will interpret relevant information from such imagery.

37. The Office for Outside Information will analyse relevant information from open sources. In addition to the Executive Chairman, it will be the sole entrance point for intelligence provided by Governments in accordance with paragraph 10 of resolution 1284 (1999), in which the Security Council requests that they give full cooperation to UNMOVIC and IAEA in the discharge of their mandates. The official in charge of the Office will critically analyse information obtained and assess its usefulness for inspection and monitoring purposes. The official will report administratively to the head of the Division, but will share sensitive information only with the Executive Chairman and persons whom the latter indicates, in particular staff members who may have use of it in pursuit of the mandate of UNMOVIC as set out by the Council. The flow of intelligence must be one-way only and have regard only to matters relevant to the mandate of UNMOVIC, but dialogue with providers may be necessary in order to seek clarification and to indicate what may be of particular interest to the organization in discharging its tasks.

38. The Data-Processing and Archives Unit will be responsible for establishing, operating and maintaining a central integrated database and the organization's archives. Information from a variety of sources, including, notably, the results of the Commission's inspection and monitoring activities, will be stored and systematized in the database. It will be accessible on a "need-to-know" basis, in an efficient and secure manner, for analysis and use in reports and in the planning and operation of inspection and monitoring activities. It will provide advice regarding the Commission's needs for computer hardware and software and maintain the organization's computer network.

G. Division of Technical Support and Training

39. The Division of Technical Support and Training will plan and provide training and logistical support for inspection and monitoring operations and other missions. In cooperation with United Nations procurement units and Governments, it will secure equipment and supplies for the divisions of UNMOVIC

on the basis of requests and specifications originating from them, and will be responsible for the installation and maintenance of all such equipment. It will provide the international and field system of communications and will arrange for the ground and air transport facilities necessary for field missions. It will develop and review ways and methods of ensuring security. It will also establish and accredit a network of analytical laboratories, according to their capabilities, and arrange for contracts for analysis and for transportation of samples and hazardous material.

40. In cooperation with other divisions, it will develop, organize and run technical and cultural training programmes. The technical programmes will cover weapons technology, relevant civilian industry, monitoring techniques and safety. The cultural programmes will stress the importance of understanding national sensitivities and the proper handling of adversarial situations.

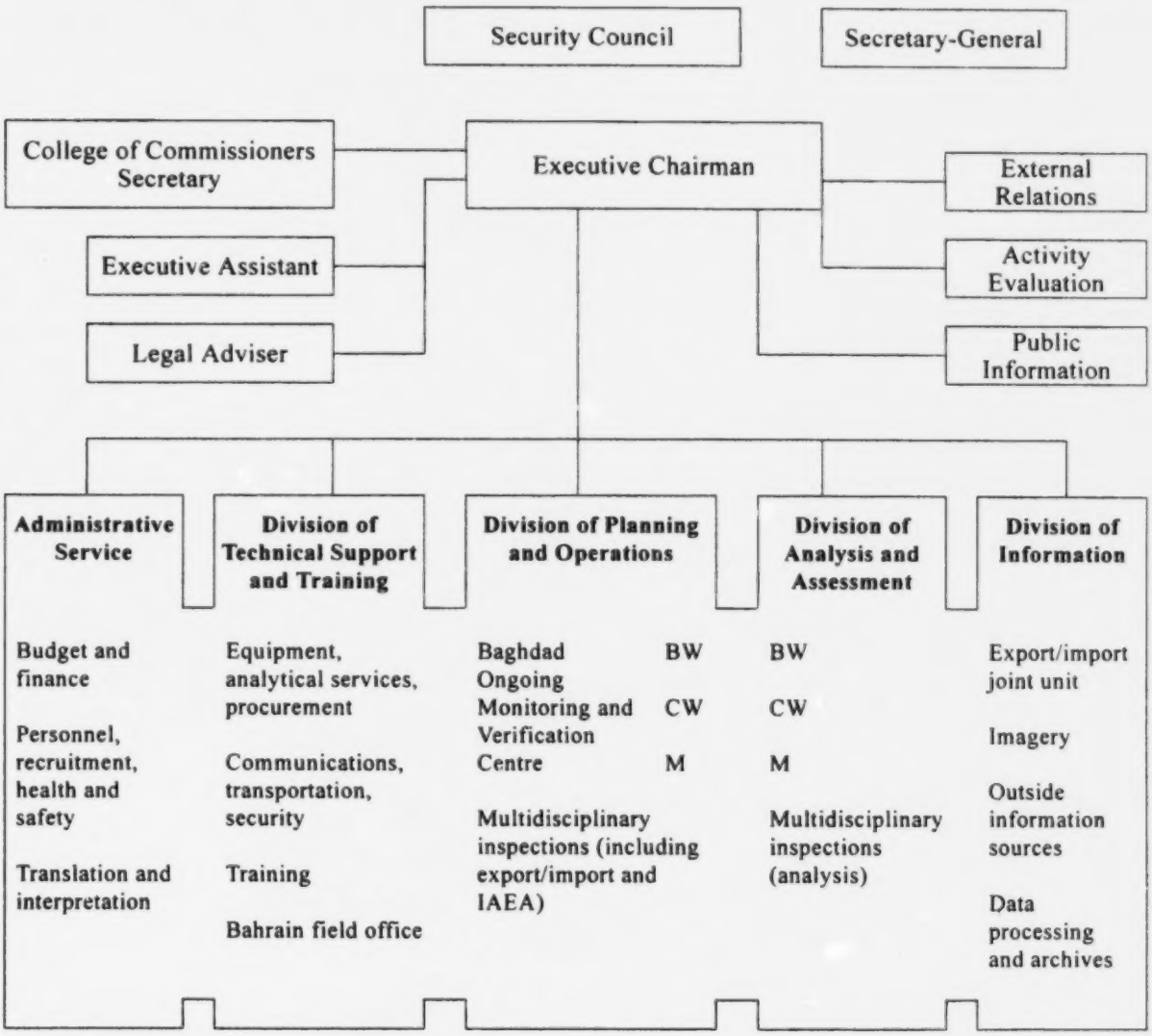
41. The Division will be headed by a senior official who will report to the Executive Chairman. It will have three functional units, namely, for equipment, procurement and analytical services; communications, transportation and security; and training. It will also be responsible for overseeing the operations of a field office outside Iraq. Discussions are under way for the establishment of such an office in Bahrain, in premises that have been expressly built to serve as a field office. This office will provide logistical services and serve as the base for missions going to or coming from Iraq.

H. Administrative Service

42. The Administrative Service will be headed by a senior official who will report to the Executive Chairman. It will have functional units for budget and finance; personnel, recruitment, health and safety; and translation and interpretation. It will manage the funds allocated to UNMOVIC and administer its staff in accordance with the relevant United Nations regulations and rules. It will be responsible for the implementation of the United Nations accountability policies through the internal audit system. Under the authority of the head of the Service, the units will provide the requisite services to the organization as a whole. The Service will further carry out the functions relating to the financial management of the offices of UNMOVIC in New York and in the field.

Annex

Organization chart of the United Nations Monitoring, Verification and Inspection Commission



BW, biological weapons; CW, chemical weapons; M, missiles.

United Nations S/2000/292/Corr.1

Security Council

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10 April 2000

Arabic and English only

Note by the Secretary-General

Corrigendum

Paragraph 10, fourth sentence

The sentence *should read*

Thus, while accountable to the Council for the performance of UNMOVIC, and reporting initially to it every three months, the Executive Chairman of the Commission may bring urgent matters pertaining to the Commission's mandate to the attention of the Council and ask for its guidance and support, when he deems it to be required.

00-38588 (E) 100400

United Nations S/2000/293

Security Council

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6 April 2000

Original: English

Letter dated 5 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to lodge a strong protest over the most recent violation of Security Council resolution 1244 (1999) of 10 June 1999 by the Special Representative of the Secretary-General of the United Nations. The adoption of regulations on the ombudsman, budget and travel documents, for Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, by the Special Representative represents yet another threat to the sovereignty of the Federal Republic of Yugoslavia guaranteed by the provisions of the said resolution and the relevant documents.

The Federal Republic of Yugoslavia will never renounce sovereignty over any part of its territory. The organs of the Federal Republic of Yugoslavia and its constituent Republic of Serbia are the only bodies responsible for issuing personal and other documents to their citizens, and the United Nations Interim Administration Mission in Kosovo is not empowered to break the unity of the constitutional, legal, economic, financial and other systems of Yugoslavia and Serbia and to sever Kosovo and Metohija.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

00-38207 (E) 060400

United Nations S/2000/294

Security Council

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6 April 2000

Original: English

Letter dated 6 April 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to inform you, and through you the members of the Security Council, of the gist of my meeting in Geneva on 4 April 2000 with David Levy, Foreign Minister of Israel, at his request.

The Foreign Minister reaffirmed his Government's decision to withdraw Israeli troops from southern Lebanon in accordance with Security Council resolution 425 (1978), fully and without conditions. He informed me that the withdrawal would be implemented in a continuous operation, "in one go", by the end of July 2000. The Foreign Minister assured me of his Government's decision to cooperate fully with the United Nations throughout the process, within the framework of the relevant Security Council resolutions. We agreed that cooperation by all parties concerned would be needed in order to avoid any deterioration of the situation during the withdrawal.

The next day, 5 April, I spoke on the telephone to Ehud Barak, Prime Minister of Israel. We discussed the decisions taken by his Government, as conveyed to me by his Foreign Minister. I told the Prime Minister that the United Nations had an obligation to fulfil the mandates established by the Security Council in its resolutions 425 (1978) and 426 (1978), while noting that many questions would have to be addressed to make this possible. In the meantime, the Secretariat has begun preliminary contingency planning.

I instructed my Special Envoy, Terje Roed-Larsen, to meet immediately with the President of Lebanon to brief him on this development. Mr. Roed-Larsen met with President Lahoud in Beirut on 5 April 2000 and with the Prime Minister and other senior officials of the Government of Lebanon on 6 April. I spoke with President Lahoud myself on the telephone today. The President raised a number of questions relating to the Israeli proposal, which he has since made public. These questions are receiving my close attention. My Special Envoy will meet with the Foreign Minister of Syria later this week, as well as with other concerned parties in the region, to brief them on the situation and to seek their views. For my own part, I am continuing my consultations with interested Member States in the region and beyond.

I have conveyed to the Prime Minister of Israel my expectation that the United Nations will receive, in due course, formal notification of Israel's intentions. Only at that stage would I be in a position to formally contact all those concerned, with the aim of enabling the United Nations to do its part to ensure full implementation of

00-38159 (E) 060400

resolutions 425 (1978) and 426 (1978). To that end, and at the appropriate time, I hope I can count on the support of members of the Security Council.

(*Signed*) Kofi A. **Annan**

United Nations A/54/834–S/2000/295

General Assembly
Security Council

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6 April 2000

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General Assembly
Fifty-fourth session
Agenda item 43
The situation in the Middle East

Security Council
Fifty-fifth year

Letter dated 6 April 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith an urgent letter addressed to you by General Émile Lahoud, President of the Republic of Lebanon (see annex).

I have the honour to kindly request that this letter be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Selim **Tadmoury**
Ambassador
Permanent Representative

00-38143 (E) 060400 060400

Annex to the letter dated 6 April 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

[Original: Arabic]

President Émile Lahoud conveys his compliments to the Secretary-General, expresses gratitude for his efforts for a just and comprehensive peace in the region and addresses to him the following questions concerning the proposals for a unilateral Israeli withdrawal:

1. What, in your view, are the reasons that in 1978 led the United Nations and the Security Council to adopt resolution 425? Was the Palestinian issue the reason?

2. Why have the United Nations and the Security Council been unable to implement this resolution by way of the forces they have stationed in Lebanon for 22 years? Are you aware of the number of the incursions and the scale of the losses in both human and material terms that Lebanon has suffered since 1978 and up to the present moment as a result of Israel's failure to comply with resolution 425 (1978)?

3. Do you consider that Israel's proposed implementation of resolution 425 (1978) today is:

- In response to the international will and an international endeavour?
- Israel's voluntary contribution to the implementation of the resolution?
- A result of the operations of the Resistance and of Israeli losses?
- To protect the Lebanese people, victims of aggression, or to protect the aggressor?

4. Do you consider that Lebanon has paid dearly for this Israeli retreat? If so, do you find it logical that Lebanon is also being asked to pay the price of protecting this withdrawal and protecting the borders of Israel?

5. Further to question 1 above; if certain Palestinian groups were to attempt to engage in cross-border operations in the context of the right of return and because they have no solutions for their future, do you believe that UNIFIL would be capable of coping with small-scale daily warfare along the borders?

6. As long as there is a possibility of small-scale warfare along the borders fuelled by armed Palestinian groups coming from the Palestinian camps in the interior and in the light of past experiences, most importantly the fact that resolution 425 (1978) stemmed from an Israeli incursion that had Palestinian causes, do you not believe that Lebanon's interest requires that UNIFIL should first and foremost disarm the Palestinian camps, or participate on the ground in doing so, whether in Tyre, Sidon, Tripoli, Beirut, Baalbek or elsewhere, before they deploy along the borders? Does the United Nations accept as a Lebanese condition that such a deployment along the borders should not be allowed before the Palestinians are disarmed, given that the interior is linked with the border zone and that UNIFIL, according to resolution 425 (1978), has the purpose of "restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area" (the south and the Western Bekaa)? Is it possible to restore this authority without disarming the Palestinians?

7. Whether or not there is such disarmament, what are the United Nations guarantees that Israel will not violate Lebanon's land borders, maritime boundaries and airspace or engage in adventitious attacks in the South and in the interior? What guarantees are there to prevent a recurrence of what has happened previously in the presence of UNIFIL, which has been stationed in the South since 1978? Will the proposed international force have means of deterrence on land, at sea and in the air in order to enforce these guarantees? Who will order such a force to implement the guarantees in the event of a breach or of attacks?

8. In the United Nations archives for 1978, there is evidence that on 31 July 1978 the Lebanese Government sent forces from the Lebanese Army to the South to enforce resolution 425 (1978) at the request of the United Nations and that the Israeli forces and their proxies forcibly intercepted the Lebanese Army at the town of Kawkaba, bombarded it and prevented it from advancing, leaving a number of dead and wounded among its ranks. Since that time, Israel has carried out successive incursions that have cost Lebanon thousands of dead and wounded and material and other losses in excess of $70 billion. Today, Israel says that it is about to implement resolution 425 (1978) out of respect for the international community, while everyone knows that it is doing so as a result of its losses and because of the Resistance. The question is: faced with this situation, who decided to exempt Israel from the reparations due to Lebanon and its people as a result of its intransigence and its constant hostility to this resolution up to the present time? On what basis was this forgiveness given? Does the aggressor, in the view of the United Nations, have the right to get away scot-free? Furthermore, is the aggressor entitled to seek protection from the victim of its aggression?

These are questions to which Lebanon seeks answers from the United Nations before deciding to venture into other details.

In the meantime, Lebanon is committed to a just and comprehensive peace that provides guarantees to all while it is of the view that any Israeli withdrawal under pressure from the Resistance is a major victory for Lebanon and for resolution 425 (1978) itself. It is a victory on which it is difficult to bargain in the absence of the clarifications sought and given the customary Israeli manoeuvring.

(*Signed*) Émile **Lahoud**
President of the Lebanese Republic

United Nations S/2000/296

Security Council

Distr.: General
7 April 2000

Original: English

Letter dated 7 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Ethiopia to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith a document by the Ministry for Foreign Affairs of the Federal Democratic Republic of Ethiopia, issued on 31 March 2000, entitled "The Present State of the Ethio-Eritrean Conflict".

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Fesseha A. **Tessema**
Chargé d'affaires a.i.

00-38376 (E) 100400

Annex to the letter dated 7 April 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Ethiopia to the United Nations addressed to the President of the Security Council

Almost two years have elapsed since the eruption of the Ethio-Eritrean conflict. As such the international community is by now fully aware of the origin of the conflict. It is not, therefore, necessary to go into detail on the genesis of the conflict. It is an incontrovertible fact that the crisis started with the unprovoked aggression by Eritrea against Ethiopia on 12 May 1998 and the occupation of Ethiopian sovereign territory by Eritrea. This was the culmination of the Eritrean pattern of aggressive behaviour towards its neighbours since its inception as new State. With the exception of the liberation of the biggest chunk of Ethiopian territory — Badme — by the patriotic Ethiopian forces in February 1999 in exercise of Ethiopia's right of legitimate self-defence under international law, enshrined in Article 51 of the Charter of the United Nations, the situation remains unchanged — that is, Eritrean aggression against Ethiopia continues by virtue of the fact there are Ethiopian territories along the entire common border still under Eritrean occupation. In this memorandum we would like to describe briefly by way of recapitulation the current stage in the peace process.

It is to be recalled that right from the outset of the aggression, Ethiopia's response has been to resolve the crisis by peaceful means as long as it is possible and feasible, although we were fully entitled under international law to take immediate forcible action to evict the aggressor from Ethiopian territory. This was the decision of our Parliament and Government.

The peace process was set in motion with the launching in June 1998 of the United States-Rwanda proposal (S/1998/496, annex I), the essence of which was the withdrawal of Eritrean forces from Ethiopian territory, the restoration of the status quo ante and the demarcation of the entire border, in that order. This proposal of the facilitators was endorsed by the Assembly of Heads of State and Government of the Organization of African Unity (OAU) at its thirty-fourth ordinary session, held at Ouagadougou in June 1998 (A/53/179, annex II, decision A-HG/Dec.130 (XXXIV)). Eritrea, not surprisingly, rejected the proposal.

Continuing in its efforts to resolve the crisis peacefully, OAU formulated a Framework Agreement for a peaceful settlement of the dispute between the two countries (S/1998/1223, annex). Again, Eritrea, with the utmost scorn, rejected the proposal. The situation remained unchanged until, in exercise of our right to self-defence, we reversed Eritrea's aggression on the Badme front in February 1999. It was then that Eritrea was forced to announce its so-called "acceptance" of the Framework Agreement. Although its territories were still under Eritrean occupation, Ethiopia persevered along the peaceful path to reverse the aggression in the remaining territories still under Eritrean occupation.

A significant development in the peace process took place in May 1999, when the then Chairman of OAU wrote to the President of Eritrea asking him in clear terms to redeploy his troops out of Ethiopian territories occupied after 6 May 1998.

The next stage in the peace process came with the adoption by the OAU Summit held at Algiers in July 1999 of the Modalities for the Implementation of the OAU Framework Agreement on the Settlement of the Dispute between Ethiopia and Eritrea (S/1999/794, annex III). This instrument reinforced the Framework Agreement by setting forth in no uncertain terms that Eritrea had to withdraw its forces from Ethiopian territories it occupied after 6 May 1998. This document, which was accepted by both sides, in effect clearly reaffirmed the undeniable truth that Eritrea had committed aggression against Ethiopia on 6 May 1998.

If we put in context successive pronouncements made during the peace process relating to the withdrawal of Eritrean forces from Ethiopian territories, they establish without any doubt that Eritrea committed aggression against Ethiopia in May 1998. Thus:

1. The United States-Rwanda proposal which was the first attempt at a peaceful resolution of the conflict (June 1998), stated:

> "Eritrean forces shall begin to redeploy from Badme and environs to the positions held prior to 6 May 1998".

2. The Committee of Ambassadors established by the OAU High-level Delegation for a fact-finding mission said in its report (S/1998/1223, annex) that:

> "With regard to the authority which was administering Badme before 12 May 1998 and on the basis of the information at our disposal, we have reached the conclusion that Badme Town and its environs were administered by the Ethiopian authorities before 12 May 1998".

In the same report, the Committee further stated:

> "It is, nevertheless, of the view that what happened in Badme between 6 and 12 May constitutes a fundamental element of the crisis".

3. The OAU Framework Agreement provided in paragraph 3:

> "In order to create conditions conducive to a comprehensive and lasting settlement of the conflict through the delimitation and demarcation of the border, the armed forces presently in Badme Town and its environs should be redeployed to the positions they held before 6 May 1998".

4. In his letter of 8 May 1999 to the President of Eritrea, President Blaise Campoare of Burkina Faso, then the Chairman of OAU, said:

> "To find a solution to the problems posed to the implementation of the Framework Agreement, I submit to you a solemn appeal, in the name of the OAU and its High-level Delegation, that you accept our proposal that the Eritrean Government agree to redeploy its troops out of Ethiopian territories occupied after 6 May 1998".

5. The Modalities for the implementation of the OAU Framework Agreement, adopted by the OAU summit meeting held at Algiers on 14 July 1999 stated in paragraph 1:

> "The Eritrean Government commits itself to redeploy its forces outside the territories they occupied after 6 May 1998".

The technical details for the implementation of the two basic instruments of the OAU, namely, the Framework Agreement and the Modalities, were set forth in the document entitled "Technical Arrangements for the Implementation of the OAU Framework Agreement and Its Modalities". This document is the last in the hierarchy of OAU documents promoting the peaceful settlement of the dispute between the two countries and, as its title clearly indicates, was intended to provide the technical details for the implementation of the two basic instruments. As such it goes without saying that it has to be fully consistent in all its aspects with the two basic instruments.

But to our deep regret this was not to be because the document contained a number of provisions at variance with the Framework Agreement and the Modalities. This was where the entire peace process hit a snag. The Technical Arrangements were deeply and fatally flawed inasmuch as they contained parts that went against the fundamental principle of the restoration of the status quo ante in all its aspects to 6 May 1999 and the reversal of Eritrean aggression against Ethiopia. As far as Ethiopia is concerned, as a victim of aggression there was no way we could countenance such a situation, for it would have gone against some basic precepts of international law, in particular the non-use force in international relations and the ban on the forcible change of borders. It would also have gone against the decisions of our Parliament and Government taken at the outset of the Eritrean aggression against our country. Hoping that our concerns would be addressed short of a total revision of the Technical Arrangements, we sought clarifications from OAU as the author of the document on a number of provisions of the Technical Arrangements. But regrettably the clarifications we received failed to meet all our concerns adequately.

In pursuit of our sole objective of reversing Eritrean aggression peacefully, we engaged in earnest dialogue with our continental organization, OAU, with a view to rectifying the serious defects and flaws in the Technical Arrangements. Realizing that a take-it-or-leave-it stance on the Technical Arrangements would not advance the peace process, OAU has made a commendable effort to reorient the peace process by taking a fresh look at the Technical Arrangements. As a result, significant progress has been made towards rendering the Technical Arrangements consistent with the Framework Agreement and the Modalities to further their implementation. At this juncture we should like to register the remarkable and indefatigable efforts made by OAU to resolve the crisis between the two countries peacefully. We remain proud of our continental organization.

Nevertheless, the peace process is in trouble again at its most auspicious moment in the last two

years because of the well-known intransigence of the Eritrean regime. At the moment a dark cloud is hovering over the peace process. Rejecting the significant progress achieved in the peace process, Eritrea is playing the most dangerous game of brinksmanship fraught with all its consequences for peace and stability in our subregion. The clearest sign of this belligerent behaviour by the Eritrean regime is its refusal at the last minute to engage in proximity talks to finalize the Technical Arrangements, which were scheduled to start in Algiers on 25 March 2000. Since we in Ethiopia know full well that the idea of returning to the status quo ante is anathema to Eritrea inasmuch as it would definitely mean the reversal of its aggression against Ethiopia, its most recent conduct towards the peace process did not come as a surprise to us. However, since the peace process has reached a promising, albeit critical, stage, we believe it is incumbent upon the international community to prevail upon the Eritrean regime to see the light of reason and to desist from being again a cause for what Ethiopia has always wished to avoid but which Eritrea appears determined to make inevitable. It is well-known that this is not and has never been a border dispute. On the contrary, it is clearly a case of continuing flagrant aggression by one State against another. The aggressor — Ethiopia — is well-known. No amount of subterfuge can hide this stubborn fact. Despite this, the attitude taken by the Security Council, the body entrusted under the Charter of the United Nations with the primary responsibility for maintenance of international peace and security (Article 24), over the past two years since the onset of the crisis has been to put aggressor and victim on the same footing. In doing so it has failed not only the victim of aggression — Ethiopia — but also the rule of law in international relations. For its part, the Ethiopian Government, although still committed to a peaceful resolution of the crisis, has the constitutional duty and responsibility to the Ethiopian people to defend the country's sovereignty, a right recognized under international law. The Ethiopian Government and people are putting this question to the international community: How long is Ethiopia — the victim of aggression — expected to wait before international legality prevails? It is our earnest hope that it is not yet too late for the international community to see to it that the rule of law prevails.

31 March 2000
Addis Ababa

United Nations S/2000/297

Security Council

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7 April 2000

Original: English

Letter dated 7 April 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 6 April 2000, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

00-38406 (E) 100400

Annex to the letter dated 7 April 2000 from the Secretary-General addressed to the President of the Security Council

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on Stabilization Force (SFOR) operations. I would appreciate your making this report available to the Security Council.

(*Signed*) Lord **Robertson**

Appendix

Monthly report to the United Nations Security Council on SFOR operations

1. Over the reporting period (13 February to 12 March 2000), there were approximately 26,500 troops deployed in Bosnia and Herzegovina and Croatia, with contributions from all the NATO Allies and from 15 non-NATO countries. Stabilization Force (SFOR) troops continued to conduct reconnaissance and surveillance operations in the theatre by means of ground and air patrols. Operations across the SFOR area included area security, monitoring the border with the Federal Republic of Yugoslavia, monitoring the Entity Armed Forces (EAF), conducting weapons storage site inspections and providing support to the international organizations in the theatre.

2. SFOR troops continued to monitor compliance with the provisions of Security Council resolution 1160 (1998), which prohibits the transport of weapons into the Federal Republic of Yugoslavia by providing an intensified presence on the ground in order to enforce the embargo. No violations were reported.

3. SFOR also continued to monitor the movement of controlled petroleum products into the Federal Republic of Yugoslavia by establishing traffic control points. No violations were reported.

4. On 5 March, SFOR troops in Multi-National Division (MND) (South-West) detained a Bosnian Serb, Dragoljub Prcac, who had been indicted for war crimes by the International Tribunal for the Former Yugoslavia. Prcac was subsequently transported to The Hague.

5. In response to a request from the High Representative, and in accordance with the broadcasting ban imposed by the Independent Media Commission (IMC) in November 1999, SFOR troops supported IMC in re-configuring transmission sites used by the Croatian national television station Erotel. The re-configuration, which took place from 17 to 19 February, enabled selected transmission sites to transmit legal Federation television broadcasts.

6. The demilitarization of the Brcko district (MND(North)) was completed over the reporting period, following the Entity Armed Forces' full cooperation with the three main stages of the process: the disbanding of previously identified units was completed on 31 December 1999; the disposal of weapons was completed on 17 February 2000; and the relocation of all remaining units from the area was completed on 6 March. SFOR troops supported the process by providing security. On 8 March, Brcko was officially declared a district, and the Brcko Multi-Ethnic Police Force, the first joint institution in the Brcko district, became operational.

Cooperation and compliance by the parties

7. Over the reporting period, the situation remained stable, with the Entities in substantial compliance with the military provisions of the Peace Agreement. The farmers' demonstration in MND (South-East), which began on 20 October 1999, continued throughout the period, with up to 50 Bosniacs from Gorazde demonstrating for their right to work their land in Kopaci in the Republika Srpska. Following an initiative by the Office of the High Representative (OHR) and the Organization for Security and Cooperation in Europe (OSCE), the demonstration

was to disband on 14 March. However, the demonstrations continued, and there was also an explosion near Kopaci on 11 March, near a building housing Bosniac returnees. No injuries or damage were reported.

8. On 25 February, MND (North), the International Police Task Force (IPTF) discovered 40 boxes of ammunition in the open, including 120-mm and 82-mm mortar rounds and three M60P2 rifle grenades; the ownership of this cache is unknown. Following a request from IPTF, SFOR troops confiscated and subsequently destroyed the ammunition. Similarly, on 28 February, a large ammunition cache was discovered by border police near Bosanski Samac (MND (North)). Again, the ammunition was confiscated and subsequently destroyed by SFOR.

9. Over the reporting period, there were several isolated incidents of violence, mainly related to the return of refugees and displaced persons. On 5 March in Bosanski Novi (MND (South-West)), a grenade injured a Bosniac returnee. In Janja (MND(North)); on 9 March, a grenade was thrown into the home of a Bosniac returnee, the fifth explosion in Janja since 26 February. On 6 March there were two incidents in Brcko. In the first, approximately 30 small arms rounds were fired at a house occupied by a Bosniac and a Bosnian Serb. In the second, an explosion occurred in front of a Bosniac house. Neither incident resulted in injury. On 12 March, the IPTF reported an explosion in a shop belonging to a Bosniac in Prnjavor (MND(South-West)), There were no injuries, but the building was extensively damaged.

10. Over the period, SFOR troops conducted 376 military weapons storage site inspections. No violations were reported.

11. SFOR monitored 548 training and movement activities: 119 Bosniac; 38 Bosnian Croat; 311 Bosnian Serb; and 80 Federation. The training and movement ban on the Republika Srpska Police Anti-Terrorist Brigade remains in force until further notice, as does the ban on elements of the 3rd Bosnian Serb Army Corps.

12. There were two unauthorized checkpoints established by local police in Buna and Bokulja (MND(South-East)) during the reporting period. Both were dismantled by IPTF.

Cooperation with international organizations

13. Within capabilities, and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in the theatre, including the United Nations Mission in Bosnia and Herzegovina (UNMIBH), IPTF, the International Tribunal on the Former Yugoslavia, OHR, OSCE, and the Office of the United Nations High Commissioner for Refugees (UNHCR).

14. Over the period, SFOR responded to requests from UNHCR to support minority returnees and refugees. During the month of February, 2,450 minority returns were reported, and SFOR monitored 4,163 house cleanings and assessment visits during this period. SFOR Civil Military Cooperation (CIMIC) Task Force teams are currently assessing house and infrastructure reconstruction projects.

15. Municipal elections throughout Bosnia, with the exception of Brcko, will take place on 8 April, with SFOR providing support to preserve safety and security

16. There was no meeting of the Standing Committee on Military Matters (SCMM) over the reporting period, since the meeting planned for 9 March had to be postponed because of a state visit to Bosnia and Herzegovina taking place at the same time.

Outlook

17. Isolated incidents of violence can be expected to continue, and may increase as the municipal elections approach.

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Security Council

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7 April 2000

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Letter dated 7 April 2000 from the President of the General Assembly addressed to the President of the Security Council

I have the honour to transmit to you herewith a letter dated 1 April 2000 from the Chairman of the Special Committee on Peacekeeping Operations containing the reply to the request of the President of the Security Council contained in his letter dated 14 February 2000 addressed to me.

(*Signed*) Theo-Ben **Gurirab**

Annex to the letter dated 7 April 2000 from the President of the General Assembly addressed to the President of the Security Council

On behalf of the Special Committee on Peacekeeping Operations, it is my pleasure to offer this reply to the request of the President of the Security Council contained in his letter dated 14 February 2000 addressed to the President of the General Assembly (S/2000/119). The report adopted by the Special Committee on 10 March 2000 (A/54/839) contains a number of recommendations that bear on aspects of the report of the Secretary-General on the protection of civilians in armed conflict (S/1999/957), and may provide the following guidance.

One of the four recommendations made by the Secretary-General and noted in the letter of 14 February was on the United Nations rapid deployment and planning capacity. This issue figured prominently in both the Special Committee's general debate and in the deliberations of the Committee's working group. As a result, the report contains a number of recommendations and proposals related to that issue, which can be found in paragraphs: 47, 67, 77, 85, 86, 93, 95, 131, 140, 142, 144, 146 and 147.

Paragraphs 65, 66 and 82 of the report of the Special Committee touch on another issue raised in the letter of the President of the Security Council, namely, the recommendation that troop-contributing countries report to the United Nations on measures taken to prosecute members of their armed forces accused of violating international humanitarian and human rights law while in the service of the United Nations.

In regard to the two remaining issues raised in the letter of the President of the Security Council, which were concerned with establishing a public ombudsman and mobilizing international support for national security forces, the Committee's schedule did not allow for substantive discussions on these issues. The Special Committee will endeavour to take up these questions during its session in 2001.

The report of the Special Committee contains a large number of proposals, conclusions and recommendations, which go well beyond the scope of the four issues highlighted by the President of the Security Council. Once these proposals and recommendations are approved by the General Assembly, I hope they will prove useful to the work of the Security Council.

(*Signed*) Chief Arthur C. I. **Mbanefo**
Chairman
Special Committee on Peacekeeping Operations